

HOUSE JOURNAL

PROCEEDINGS

OF THE

House of Representatives

OF

The Legislature

OF THE

STATE OF KANSAS

REGULAR 2017 SESSION

JANUARY 9 THROUGH ADJOURNMENT JUNE 26, 2017

SUSAN W. KANNARR, *Chief Clerk of the House*

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TOPEKA, KANSAS
2017

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Governor
SAM BROWNBACk, Topeka

Lieutenant Governor
JEFF COLYER, Overland Park

OFFICERS OF THE HOUSE

Session of 2017

Ron Ryckman.....	Speaker
Scott Schwab	Speaker Pro Tem
Don Hineman.....	Majority Leader
Jim Ward	Minority Leader
Susan Kannarr	Chief Clerk
Foster Chisholm.....	Sergeant-at-Arms

HOUSE OF REPRESENTATIVES—2017

The 2017 Kansas House of Representatives consisted of 85 Republican members and 40 Democrat members. An alphabetical list of members is below.

<i>Name</i>	<i>Party</i>	<i>Dist.</i>	<i>Occupation</i>
Alcala, John , Shawnee	Dem.	57	Retired US Navy
Alford, Steve , Grant	Rep.	124	Farmer
Arnberger, Tory , Barton	Rep.	112	--
Aurand, Clay , Republic	Rep.	106	Farmer / Stockman
Awerkamp, Francis , Pottawatomie	Rep.	61	Business owner
Baker, Dave , Morris	Rep.	68	Self-employed
Ballard, Barbara , Douglas	Dem.	44	University Administrator
Barker, John , Dickinson	Rep.	70	Retired Judge
Becker, Steven , Reno	Rep.	104	Ret. District Court Judge
Bishop, Elizabeth , Sedgwick	Dem.	88	Retired
Blex, Doug , Montgomery	Rep.	12	Self-employed
Brim, Shelee , Johnson	Rep.	39	--
Burris, Jesse , Sumner *	Rep.	82	Attorney
Burroughs, Tom , Wyandotte	Dem.	33	Ret. Colgate-Palmolive
Campbell, Larry , Johnson	Rep.	26	Banking/Professor
Carlin, Sydney , Riley	Dem.	66	Investments, Property manager
Carmichael, John , Sedgwick	Dem.	92	Attorney
Carpenter, Blake , Sedgwick	Rep.	81	Contractor, Rockwell Collins
Claeys, J. R. , Saline	Rep.	69	Nonprofit Management
Clark, Lonnie , Geary	Rep.	65	Retired
Clayton, Stephanie , Johnson	Rep.	19	Social Media Consultant
Concannon, Susan , Mitchell	Rep.	107	Former Exec. Dir., Medical Foundation
Corbet, Ken , Shawnee	Rep.	54	Small Business Owner
Cox, Tom , Johnson	Rep.	17	Vice President- Marketing-SPMI
Crum, Steven , Sedgwick	Dem.	98	Teacher
Curtis, Pam , Wyandotte	Dem.	32	Community Relations
Davis, Erin , Johnson	Rep.	15	Attorney
Deere, Debbie , Leavenworth	Dem.	40	--
Delperdang, Leo , Sedgwick	Rep.	94	Retired
Dierks, Diana , Saline	Rep.	71	Realtor
Dietrich, Brenda , Shawnee	Rep.	52	Retired Superintendent
Dove, Willie , Wyandotte	Rep.	38	Insurance Sales
Elliott, Roger , Sedgwick	Rep.	87	--
Ellis, Ronald , Jefferson	Rep.	47	Rancher
Eplee, John , Atchison	Rep.	63	Family Physician
Esau, Keith , Johnson	Rep.	14	Software Engineer
Finch, Blaine , Franklin	Rep.	59	Attorney
Finney, Gail , Sedgwick	Dem.	84	Small Business Owner
Francis, Shannon , Seward	Rep.	125	Developer
Frownfelter, Stan , Wyandotte	Dem.	37	Sales
Gallagher, Linda , Johnson	Rep.	23	Freelance writer and editor
Garber, Randy , Nemaha	Rep.	62	Retired Navy/

				Construction Worker
Gartner, Jim , Shawnee	Dem.	53	--	
Good, Mary Martha , Butler	Rep.	75		Retired
Hawkins, Daniel , Sedgwick	Rep.	100		Insurance Agent
Helgeson, Henry , Sedgwick	Dem.	83		Businessman
Henderson, Broderick , Wyandotte	Dem.	35		Parking Controller Office
Hibbard, Larry , Woodson	Rep.	13		Stockman/Rancher
Highberger, Dennis "Boog" , Douglas	Dem.	46		Attorney
Highland, Ron , Pottawatomie	Rep.	51		Retired Veterinarian
Hineman, Don , Lane	Rep.	118		Farmer
Hodge, Tim , Harvey	Dem.	72		Lawyer
Hoffman, Kyle , Comanche	Rep.	116		Farmer/Rancher
Holscher, Cindy , Johnson	Dem.	16	--	
Houser, Michael , Cherokee	Rep.	1		Construction Estimator
Huebert, Steve , Sedgwick	Rep.	90		Self-employed
Humphries, Susan , Sedgwick	Rep.	99		Attorney
Jacobs, Trevor , Bourbon	Rep.	4		Welder
Jennings, Russell , Kearny	Rep.	122		Government Consulting
Johnson, Steven , Saline	Rep.	108		Farmer
Jones, Kevin , Franklin	Rep.	5		Entrepreneur
Judd-Jenkins, Anita , Cowley	Rep.	80		Retired
Karleskint, Jim , Leavenworth	Rep.	42		Retired Educator
Kelly, Jim , Montgomery	Rep.	11		Banker
Kessinger, Jan , Johnson	Rep.	20		Consultant
Koesten, Joy , Johnson	Rep.	28		Educator-consultant
Kuether, Annie , Shawnee	Dem.	55	--	
Lakin, Greg , Sedgwick	Rep.	91		Physician
Landwehr, Brenda , Sedgwick	Rep.	105		Business Owner
Lewis, Greg , Stafford	Rep.	113		Farmer/Rancher
Lusk, Nancy , Johnson	Dem.	22		Small Business Owner
Lusker, Adam , Cherokee	Dem.	2		Owner, A. Lusker Masonry LLC
Markley, Patty , Johnson	Rep.	8	--	
Mason, Les , McPherson	Rep.	73		Business Owner
Mastroni, Leonard , Rush	Rep.	117		County Commissioner/ Ret. District Court Judge
Miller, Vic , Shawnee	Dem.	58		Retired
Murnan, Monica , Crawford	Dem.	3		Education Service
Neighbor, Cindy , Johnson	Dem.	18	--	
Ohaebosim, KC , Sedgwick	Dem.	89	--	
Orr, Boyd , Meade	Rep.	115		Farmer/Rancher
Osterman, Les , Sedgwick	Rep.	97		Retired
Ousley, Jarrod , Johnson	Dem.	24		Paint Contractor
Parker, Brett , Johnson	Dem.	29		Teacher
Patton, Fred , Shawnee	Rep.	50		Attorney
Phelps, Eber , Ellis	Dem.	111		Sales / Marketing
Phillips, Tom , Riley	Rep.	67		Community Development Consultant
Pittman, Jeff , Leavenworth	Dem.	41		Logistics Engineer
Powell, Randy , Johnson	Rep.	30		Financial Advisor
Probst, Jason , Reno *	Dem.	102		Self-employed

MEMBERS LISTED ALPHABETICALLY

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Proehl, Richard , Labette	Rep.	7	Banker
Rafie, Abraham , Johnson *	Rep.	48	Diagnostic Radiologist
Rahjes, Ken , Phillips	Rep.	110	Agricultural Communications
Ralph, Bradley , Ford	Rep.	119	Lawyer
Resman, John , Johnson *	Rep.	121	Retired Deputy Sheriff
Rooker, Melissa , Johnson	Rep.	25	Retired film executive
Ruiz, Louis , Wyandotte	Dem.	31	Retired; Lucent
Ryckman, Ron , Johnson	Rep.	78	Business Consultant/ Contractor
Sawyer, Tom , Sedgwick	Dem.	95	Accountant
Schreiber, Mark , Lyon	Rep.	60	Retired
Schroeder, Don , McPherson	Rep.	74	Farmer
Schwab, Scott , Johnson	Rep.	49	Healthcare Sales
Seiwert, Joe , Reno	Rep.	101	Agricultural Business
Sloan, Tom , Douglas	Rep.	45	Farmer/Strategic Consultant
Smith, Eric , Coffey	Rep.	76	Deputy Sheriff
Smith, Adam , Wallace	Rep.	120	Farmer/Rancher
Stogsdill, Jerry , Johnson	Dem.	21	Real Estate Investor
Sutton, Bill , Johnson	Rep.	43	Steelworker
Swanson, Susie , Clay	Rep.	64	Social Worker
Tarwater, Sean , Johnson	Rep.	27	Business Owner
Thimesch, Jack , Kingman	Rep.	114	Farmer/Construction
Thompson, Kent , Allen	Rep.	9	Real Estate/Rancher
Trimmer, Ed , Cowley	Dem.	79	Retired Teacher
Vickrey, Jene , Miami	Rep.	6	Floor Covering
Victors, Ponka-We , Sedgwick	Dem.	103	Doctoral Student
Ward, Jim , Sedgwick	Dem.	86	Attorney
Waymaster, Troy , Russell	Rep.	109	Farmer/Office Manager
Weber, Chuck , Sedgwick	Rep.	85	Film producer/writer
Weigel, Virgil , Shawnee	Dem.	56	Retired
Wheeler, John , Finney	Rep.	123	Retired Lawyer
Whipple, Brandon , Sedgwick	Dem.	96	College Instructor
Whitmer, John , Sedgwick	Rep.	93	Small Business Owner
Williams, Kristey , Butler	Rep.	77	former mayor/former teacher
Wilson, John , Douglas	Dem.	10	Training and Professional Development Manager
Winn, Valdenia , Wyandotte	Dem.	34	College Professor
Wolfe Moore, Kathy , Wyandotte	Dem.	36	Business Director/KU Hospital

- * Rep. Burris sworn on June 1 to replace Rep. DeGraaf who resigned effective May 31.
- * Rep. Probst sworn in on June 26 (Sine Die) to replace Rep. Terrell who died on June 7.
- * Rep. Rafie sworn on January 10 to replace Rep. Kleeb who resigned effective January 10.
- * Rep. Resman sworn on February 16 to replace Rep. Kiegerl who resigned effective February 15.

**STANDING COMMITTEES OF THE HOUSE
LEGISLATIVE SESSION, 2017**

Names in italics represent members leaving office during session whose committee membership was not reassigned prior to Sine Die.

Agriculture: Hoffman, Chairperson; Thompson, Vice-chairperson; Baker, Blex, Clark, Ellis, Hibbard, Highland, Jacobs, Karleskint, Lewis, Orr, Schroeder, Seiwert, Sloan, Smith, E.. Carlin, Ranking Minority Member; Deere, Lusker, Neighbor, Pittman, Weigel, Wilson.

Appropriations: Waymaster, Chairperson; Davis, Vice-chairperson; Campbell, Claeys, Concannon, Hoffman, Johnson, Jones, Kessinger, Lakin, Landwehr, Proehl, Ralph, Schroeder, Sutton, Tarwater.

Wolfe Moore, Ranking Minority Member; Alcalá, Ballard, Burroughs, Carlin, Helgerson, Phelps.

Calendar and Printing: Hineman, Chairperson; Ryckman, Vice-chairperson; Phillips, Schwab.

Ward, Ranking Minority Member; Frownfelter.

Children and Seniors: Alford, Chairperson; Gallagher, Vice-chairperson; Baker, Dietrich, Good, Judd-Jenkins, Markley, Mastroni, Resman.

Ousley, Ranking Minority Member; Curtis, Deere, Murnan.

Commerce, Labor and Economic Development: Mason, Chairperson; Corbet, Vice-chairperson; Baker, Claeys, Clayton, Elliott, Davis, Kessinger, Phillips, Ralph, Seiwert, Tarwater.

Whipple, Ranking Minority Member; Carmichael, Ruiz, Stogsdill, *Terrell*.

Corrections and Juvenile Justice: Jennings, Chairperson; Whitmer, Vice-chairperson; Becker, Delperdang, Finch, Humphries, Koesten, Smith, E., Swanson.

Highberger, Ranking Minority Member; Deere, Kuether, Weigel.

Education: Aurand, Chairperson; Dierks, Vice-chairperson; Arnberger, Dietrich, Dove, Good, Powell, Rooker, Schreiber, Sutton, Tarwater, Vickrey.

Winn, Ranking Minority Member; Crum, Ousley, Stogsdill, Trimmer.

Elections: Esau, Chairperson; Carpenter, Vice-chairperson; Averkamp, *DeGraaf*, Garber, Good, Orr, Thimesch, Williams.

Miller, Ranking Minority Member; Alcalá, Curtis, Parker.

Energy, Utilities and Telecommunications: Seiwert, Chairperson; Garber, Vice-chairperson; Alford, Corbet, Cox, Delperdang, Finch, Markley, Mason, Schreiber, Sloan, Thimesch.

Kuether, Ranking Minority Member; Carmichael, Deere, Gartner, Lusker.

Federal and State Affairs: Barker, Chairperson; Highland, Vice-chairperson; Arnberger, Averkamp, Carpenter, Clayton, Ellis, Houser, Humphries, Jacobs, Karleskint, Rooker, Smith, E., Weber, Whitmer, Williams.

Ruiz, Ranking Minority Member; Henderson, Highberger, Lusk, Miller, Sawyer, Wilson.

Financial Institutions and Pensions: Kelly, Chairperson; Powell, Vice-chairperson; Blex, Dietrich, Dove, Elliott, Eplee, Hawkins, Jennings, Patton, Thompson, Vickrey.

Finney, Ranking Minority Member; Hodge, Trimmer, Weigel, Whipple.

Government, Technology and Security: *DeGraaf*, Chairperson; Lewis, Vice-chairperson; Baker, Becker, Esau, Gallagher, Koesten, Rafie, Resman, Curtis, Ranking Minority Member; Ohaebosim, Pittman, *Terrell*.

Health and Human Services: Hawkins, Chairperson; Concannon, Vice-chairperson; Barker, Blex, Dove, Ellis, Eplee, Kelly, Lakin, Osterman, Powell, Rafie. Wilson, Ranking Minority Member; Crum, Henderson, Holscher, Murnan.

Insurance: Vickrey, Chairperson; Dove, Vice-chairperson; Corbet, Cox, Elliott, Eplee, Hawkins, Kelly, Orr, Patton, Powell, Smith, A.. Neighbor, Ranking Minority Member; Bishop, Finney, Hodge, Parker.

Interstate Cooperation: Ryckman, Chairperson; Schwab, Vice-chairperson; Hineman, Phillips, Thompson. Ward, Ranking Minority Member; Holscher.

Judiciary: Finch, Chairperson; Patton, Vice-chairperson; Alford, Becker, Cox, Elliott, Garber, Huebert, Humphries, Jennings, Lakin, Mastroni, Osterman, Ralph, Wheeler, Whitmer. Carmichael, Ranking Minority Member; Bishop, Curtis, Highberger, Hodge, Kuether, Miller.

Legislative Budget (House): Waymaster, Chairperson; Davis, Vice-chairperson; Hineman, Ryckman, Schwab. Ward, Ranking Minority Member; Frownfelter, Wolfe Moore.

Local Government: Williams, Chairperson; Thimesch, Vice-chairperson; Awerkamp, Carpenter, Cox, Lewis, Markley, Orr, Thompson. Alcalá, Ranking Minority Member; Bishop, Finney, Phelps.

Rules and Journal: Finch, Chairperson; Aurand, Davis, Patton, Schwab. Sawyer, Vice-chairperson; Trimmer.

Taxation: Johnson, Chairperson; Phillips, Vice-chairperson; Concannon, Corbet, Davis, Eplee, Francis, Hawkins, Kelly, Mason, Proehl, Rafie, Rahjes, Smith, A., Thimesch, Williams. Sawyer, Ranking Minority Member; Alcalá, Burroughs, Gartner, Ohaebosim, Ruiz, Wolfe Moore.

Transportation: Proehl, Chairperson; Francis, Vice-chairperson; Alford, Brim, Gallagher, Highland, Houser, Jacobs, Mastroni, Rahjes, Schreiber, Wheeler. Lusker, Ranking Minority Member; Ballard, Ohaebosim, Pittman, Victors.

Veterans and Military: Osterman, Chairperson; Clark, Vice-chairperson; Brim, *DeGraaf*, Delperdang, Dierks, Esau, Phillips, Wheeler. Weigel, Ranking Minority Member; Gartner, Pittman, Stogsdill.

Water and Environment: Sloan, Chairperson; Rahjes, Vice-chairperson; Blex, Francis, Garber, Hibbard, Lewis, Mason, Schreiber, Seiwert, Swanson, Thompson. Victors, Ranking Minority Member; Crum, Holscher, Kuether, *Terrell*.

Budget Committees

Agriculture and Natural Resources Budget: Schroeder, Chairperson; Hibbard, Vice-chairperson; Arnberger, Clark, Johnson, Sloan. Carlin, Ranking Minority Member; Gartner, Ousley.

General Government Budget: Sutton, Chairperson; Weber, Vice-chairperson; Dierks, Dietrich, Judd-Jenkins, Resman.

Burroughs, Ranking Minority Member; Hodge, Neighbor.

Higher Education Budget: Jones, Chairperson; Swanson, Vice-chairperson; Brim, Carpenter, *DeGraaf*, Markley.
Phelps, Ranking Minority Member; *Terrell*, Whipple.

K-12 Education Budget: Campbell, Chairperson; Huebert, Vice-chairperson; Aurand, Hoffman, Jones, Karleskint, Landwehr, Patton, Rooker, Schwab, Smith, A., Vickrey.
Trimmer, Ranking Minority Member; Helgerson, Lusk, Sawyer, Winn.

Social Services Budget: Landwehr, Chairperson; Clayton, Vice-chairperson; Esau, Gallagher, Judd-Jenkins, Weber.
Ballard, Ranking Minority Member; Lusk, Murnan.

Transportation and Public Safety Budget: Claeys, Chairperson; Houser, Vice-chairperson; Awerkamp, Delperdang, Kessinger, Koesten.
Helgerson, Ranking Minority Member; Finney, Parker.

JOINT COMMITTEES

Administrative Rules and Regulations: Highland, Chairperson; Carmichael, Cox, Huebert, Sutton, Ward, Winn.
Senate members: V. Schmidt, Vice-chairperson; Faust-Goudeau, Hawk, McGinn, Tyson.

Corrections and Juvenile Justice Oversight: Jennings, Chairperson; Campbell, Carlin, Davis, Finney, Highberger, Humphries.
Senate members: Baumgardner, Vice-chairperson; Baumgardner, Berger, Faust-Goudeau, Pettey, Pilcher-Cook, Taylor, Wilborn.

Information Technology: Carpenter, Chairperson; Curtis, Esau, Hoffman, Whipple.
Senate members: Petersen, Vice-chairperson; Francisco, Holland, Sykes, Tyson.

Kansas Security: Jones, Chairperson; Houser, Ousley, Ruiz, Smith, E..
Senate members: Fitzgerald, Vice-chairperson; Doll, Goddard, Pettey, Rogers.

Legislative Post Audit Committee: Barker, Chairperson; Burroughs, Hawkins, Schroeder, Trimmer.
Senate members: Olson, Vice-chairperson; Bowers, Hensley, Kelly, Lynn.

Pensions, Investments, and Benefits: Johnson, Chairperson; Barker, Hawkins, Henderson, Kelly, Kuether, Proehl, Sawyer.
Senate members: Longbine, Vice-chairperson; Alley, Kelly, Masterson, Rogers.

Robert G. (Bob) Bethell Home and Community Based Services and KanCare Oversight: Hawkins, Vice-chairperson; Ballard, Concannon, Eplee, Ward, Weber.
Senate members: V. Schmidt, Chairperson; Bollier, Estes.

Special Claims Against the State: Davis, Vice-chairperson; Ralph, Whitmer, Wolfe Moore.
Senate members: Kerschen, Chairperson; Haley, Pyle.

State -Tribal Relations: Osterman, Vice-chairperson; Awerkamp, Garber, Lusk, Victors.
Senate members: Estes, Chairperson; Givens, Haley, Pettey.

State Building Construction: Lusker, Chairperson; Alcala, Alford, Claeys, Huebert.
Senate members: Billinger, Vice-chairperson; Francisco, Kelly, McGinn, Skubal.

INDIVIDUAL HOUSE MEMBER INFORMATION

Alcala, John**Term: 1-3-2013**

Appropriations	Member	9:00 am Daily	112-N
Jt. State Building Construction	Member	12:00 pm	159-S
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	RM Member	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	346-S

District: 57**Democrat****Alford, Steve****Term: 2011**

Children and Seniors	Chair	9:00 am Tue/Thu	218-N
Energy, Utilities and Telecomm.	Member	9:00 am Mon/Wed	582-N
Jt. State Building Construction	Member	12:00 pm	159-S
Transportation	Member	1:30 pm Daily	582-N
Judiciary	Member	3:30 pm Daily	112-N

District: 124**Republican****Arnberger, Tory****Term: 2017**

Federal and State Affairs	Member	9:00 am Daily	346-S
Ag and Natural Resources Budget	Member	1:30 pm Daily	142-S
Education	Member	3:30 pm Daily	546-S

District: 112**Republican****Aurand, Clay****Term: 1995-2012; 2017**

K-12 Education Budget	Member	1:30 pm Daily	346-S
Education	Chair	3:30 pm Daily	546-S
Rules and Journal	Member	On Call	On Call

District: 106**Republican****Awerkamp, Francis****Term: 2017**

Federal and State Affairs	Member	9:00 am Daily	346-S
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Transp. and Public Safety Budget	Member	3:30 pm Daily	142-S
Jt. State -Tribal Relations	Member	On Call	On Call

District: 61**Republican****Baker, Dave****Term: 2017**

Children and Seniors	Member	9:00 am Tue/Thu	218-N
Government, Tech. and Security	Member	9:00 am Mon/Wed	218-N
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Agriculture	Member	3:30 pm Daily	582-N

District: 68**Republican**

Term: Indicates the start and end, if applicable, of member terms. Term begins on start of annual Session of the year indicated unless otherwise noted. Members who left office during Session are shown in italics.

RM denotes Ranking Minority party member

Ballard, Barbara**Term: 1993**

Appropriations	District: 44 Member	Democrat 9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Social Services Budget	RM Member	3:30 pm Daily	144-S
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	On Call

Barker, John**Term: 2013**

Federal and State Affairs	District: 70 Chair	Republican 9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Jt. Pensions, Investments & Benefits	Member	On Call	On Call
Legislative Post Audit Committee	Chair	On Call	On Call

Becker, Steven**Term: 2013**

Government, Tech. and Security	District: 104 Member	Republican 9:00 am Mon/Wed	218-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N

Bishop, Elizabeth**Term: 2017**

Insurance	District: 88 Member	Democrat 9:00 am Tue/Thu	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Judiciary	Member	3:30 pm Daily	112-N

Blex, Doug**Term: 2017**

Financial Institutions and Pensions	District: 12 Member	Republican 9:00 am Mon/Wed	281-N
Water and Environment	Member	9:00 am Tue/Thu	582-N
Health and Human Services	Member	1:30 pm Daily	546-S
Agriculture	Member	3:30 pm Daily	582-N

Brim, Shelee**Term: 2017**

Veterans and Military	District: 39 Member	Republican 9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Higher Education Budget	Member	3:30 pm Daily	281-N

Burris, Jesse***Term: 6-1-2017**

No committee assignments	District: 82	Republican	
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Burroughs, Tom

Term: 1997

Appropriations	District: 33 Member	Democrat 9:00 am Daily	112-N
General Government Budget	*RM Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	346-S
Legislative Post Audit Committee	Member	On Call	On Call

Campbell, Larry

Term: 1997-2004; 7-10-2012

Appropriations	District: 26 Member	Republican 9:00 am Daily	112-N
K-12 Education Budget	Chair	1:30 pm Daily	346-S
Jt. Corr. & Juv. Justice Oversight	Member	On Call	On Call

Carlin, Sydney

Term: 2003

Appropriations	District: 66 Member	Democrat 9:00 am Daily	112-N
Ag and Natural Resources Budget	RM Member	1:30 pm Daily	142-S
Agriculture	RM Member	3:30 pm Daily	582-N
Jt. Corr. & Juv. Justice Oversight	Member	On Call	On Call

Carmichael, John

Term: 10-16-2013

Energy, Utilities and Telecomm.	District: 92 Member	Democrat 9:00 am Mon/Wed	582-N
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Judiciary	RM Member	3:30 pm Daily	112-N
Jt. Admin. Rules & Regulations	Member	On Call	On Call

Carpenter, Blake

Term: 2015

Federal and State Affairs	District: 81 Member	Republican 9:00 am Daily	346-S
Elections	Vice-Chair	1:30 pm Mon/Wed	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Higher Education Budget	Member	3:30 pm Daily	281-N
Jt. Information Technology	Chair	On Call	On Call

Clays, J. R.

Term: 2013

Appropriations	District: 69 Member	Republican 9:00 am Daily	112-N
Jt. State Building Construction	Member	12:00 pm	159-S
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Transp. and Public Safety Budget	Chair	3:30 pm Daily	142-S

Clark, Lonnie

Term: 2015

Veterans and Military	District: 65 Vice-Chair	Republican 9:00 am Tue/Thu	152-S
Ag and Natural Resources Budget	Member	1:30 pm Daily	142-S
Agriculture	Member	3:30 pm Daily	582-N

Clayton, Stephanie**Term: 2013**

Federal and State Affairs
 Commerce, Labor and Econ. Dev.
 Social Services Budget

District: 19

Member
 Member
 Vice-Chair

Republican

9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily

346-S
 112-N
 144-S

Concannon, Susan**Term: 2013**

Appropriations
 Health and Human Services
 Taxation
 Robert G. (Bob) Bethell Jt. Comm.
 on Home and Community Based
 Services and KanCare Oversight

District: 107

Member
 Vice-Chair
 Member
 Member

Republican

9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily
 On Call

112-N
 546-S
 346-S
 On Call

Corbet, Ken**Term: 2013**

Energy, Utilities and Telecomm.
 Insurance
 Commerce, Labor and Econ. Dev.
 Taxation

District: 54

Member
 Member
 Vice-Chair
 Member

Republican

9:00 am Mon/Wed
 9:00 am Tue/Thu
 1:30 pm Daily
 3:30 pm Daily

582-N
 281-N
 112-N
 346-S

Cox, Tom**Term: 2017**

Energy, Utilities and Telecomm.
 Insurance
 Local Government
 Judiciary
 Jt. Admin. Rules & Regulations

District: 17

Member
 Member
 Member
 Member
 Member

Republican

9:00 am Mon/Wed
 9:00 am Tue/Thu
 1:30 pm Tue/Thu
 3:30 pm Daily
 On Call

582-N
 281-N
 281-N
 112-N
 On Call

Crum, Steven**Term: 2017**

Water and Environment
 Health and Human Services
 Education

District: 98

Member
 Member
 Member

Democrat

9:00 am Tue/Thu
 1:30 pm Daily
 3:30 pm Daily

582-N
 546-S
 546-S

Curtis, Pam**Term: 3-6-2014**

Children and Seniors
 Government, Tech. and Security
 Elections
 Judiciary
 Jt. Information Technology

District: 32

Member
 *RM Member
 Member
 Member
 Member

Democrat

9:00 am Tue/Thu
 9:00 am Mon/Wed
 1:30 pm Mon/Wed
 3:30 pm Daily
 On Call

218-N
 218-N
 281-N
 112-N
 On Call

Davis, Erin**Term: 2014**

Appropriations	District: 15	Republican	
Commerce, Labor and Econ. Dev.	Vice-Chair	9:00 am Daily	112-N
Taxation	Member	1:30 pm Daily	112-N
Legislative Budget (House)	Member	3:30 pm Daily	346-S
Rules and Journal	Vice-Chair	On Call	On Call
Jt. Corr. & Juv. Justice Oversight	Member	On Call	On Call
Jt. Special Claims Against the State	Member	On Call	On Call
	Vice-Chair	On Call	On Call

Deere, Debbie**Term: 2017**

Children and Seniors	District: 40	Democrat	
Energy, Utilities and Telecomm.	Member	9:00 am Tue/Thu	218-N
Corrections and Juvenile Justice	Member	9:00 am Mon/Wed	582-N
Agriculture	Member	1:30 pm Daily	152-S
	Member	3:30 pm Daily	582-N

DeGraaf, Pete**Term: 5/28/08-5/31/17**

Elections	District: 82	Republican	
Government, Tech. and Security	Member	1:30 pm Mon/Wed	281-N
Higher Education Budget	Chair	9:00 am Mon/Wed	218-N
Veterans and Military	Member	3:30 pm Daily	281-N
	Member	9:00 am Tue/Thu	152-S

Delperdang, Leo**Term: 2017**

Energy, Utilities and Telecomm.	District: 94	Republican	
Veterans and Military	Member	9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	9:00 am Tue/Thu	152-S
Transp. and Public Safety Budget	Member	1:30 pm Daily	152-S
	Member	3:30 pm Daily	142-S

Dierks, Diana**Term: 2013**

Veterans and Military	District: 71	Republican	
General Government Budget	Member	9:00 am Tue/Thu	152-S
Education	Member	1:30 pm Daily	218-N
	Vice-Chair	3:30 pm Daily	546-S

Dietrich, Brenda**Term: 2017**

Children and Seniors	District: 52	Republican	
Financial Institutions and Pensions	Member	9:00 am Tue/Thu	218-N
General Government Budget	Member	9:00 am Mon/Wed	281-N
Education	Member	1:30 pm Daily	218-N
	Member	3:30 pm Daily	546-S

Dove, Willie**Term: 2013**

Financial Institutions and Pensions	District: 38	Republican	
Insurance	Member	9:00 am Mon/Wed	281-N
Health and Human Services	Vice-Chair	9:00 am Tue/Thu	281-N
Education	Member	1:30 pm Daily	546-S
	Member	3:30 pm Daily	546-S

Elliott, Roger**Term: 2017**

Financial Institutions and Pensions	District: 87 Member	Republican 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Judiciary	Member	3:30 pm Daily	112-N

Ellis, Ronald**Term: 2017**

Federal and State Affairs	District: 47 Member	Republican 9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Agriculture	Member	3:30 pm Daily	582-N

Eplee, John**Term: 2017**

Financial Institutions and Pensions	District: 63 Member	Republican 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	346-S
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	

Esau, Keith**Term: 2013**

Government, Tech. and Security	District: 14 Member	Republican 9:00 am Mon/Wed	218-N
Veterans and Military	Member	9:00 am Tue/Thu	152-S
Elections	Chair	1:30 pm Mon/Wed	281-N
Social Services Budget	Member	3:30 pm Daily	144-S
Jt. Information Technology	Member	On Call	On Call

Finch, Blaine**Term: 2013**

Energy, Utilities and Telecomm.	District: 59 Member	Republican 9:00 am Mon/Wed	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Chair	3:30 pm Daily	112-N
Rules and Journal	Chair	On Call	On Call

Finney, Gail**Term: 2009**

Financial Institutions and Pensions	District: 84 *RM Member	Democrat 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Transp. and Public Safety Budget	Member	3:30 pm Daily	142-S
Jt. Corr. & Juv. Justice Oversight	Member	On Call	On Call

Francis, Shannon

Term: 2015

Water and Environment
Transportation
Taxation

District: 125

Member
Vice-Chair
Member

Republican

9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily

582-N
582-N
346-S

Frownfelter, Stan

Term: 2007

Calendar and Printing
Legislative Budget (House)

District: 37

Member
Member

Democrat

On Call
On Call

On Call
On Call

Gallagher, Linda

Term: 2015

Children and Seniors
Government, Tech. and Security
Transportation
Social Services Budget

District: 23

Vice-Chair
Member
Member
Member

Republican

9:00 am Tue/Thu
9:00 am Mon/Wed
1:30 pm Daily
3:30 pm Daily

218-N
218-N
582-N
144-S

Garber, Randy

Term: 2011

Energy, Utilities and Telecomm.
Water and Environment
Elections
Judiciary
Jt. State -Tribal Relations

District: 62

Vice-Chair
Member
Member
Member
Member

Republican

9:00 am Mon/Wed
9:00 am Tue/Thu
1:30 pm Mon/Wed
3:30 pm Daily
On Call

582-N
582-N
281-N
112-N
On Call

Gartner, Jim

Term: 2017

Energy, Utilities and Telecomm.
Veterans and Military
Ag and Natural Resources Budget
Taxation

District: 53

Member
Member
Member
Member

Democrat

9:00 am Mon/Wed
9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily

582-N
152-S
142-S
346-S

Good, Mary Martha

Term: 2017

Children and Seniors
Elections
Education

District: 75

Member
Member
Member

Republican

9:00 am Tue/Thu
1:30 pm Mon/Wed
3:30 pm Daily

218-N
281-N
546-S

Hawkins, Daniel

Term: 2013

Financial Institutions and Pensions
Insurance
Health and Human Services
Taxation
Jt. Pensions, Investments & Benefits
Legislative Post Audit Committee
Robert G. (Bob) Bethell Jt. Comm.
on Home and Community Based
Services and KanCare Oversight

District: 100

Member
Member
Chair
Member
Member
Member
Vice-Chair

Republican

9:00 am Mon/Wed
9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily
On Call
On Call
On Call

281-N
281-N
546-S
346-S
On Call
On Call
On Call

Helgerson, Henry**Term: 1983-2000; 1-5-2016**

Appropriations	District: 83 Member	Democrat 9:00 am Daily	112-N
K-12 Education Budget	Member	1:30 pm Daily	346-S
Transp. and Public Safety Budget	*RM Member	3:30 pm Daily	142-S

Henderson, Broderick**Term: 1995**

Federal and State Affairs	District: 35 Member	Democrat 9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	546-S
Jt. Pensions, Investments & Benefits	Member	On Call	On Call

Hibbard, Larry**Term: 2013**

Water and Environment	District: 13 Member	Republican 9:00 am Tue/Thu	582-N
Ag and Natural Resources Budget	Vice-Chair	1:30 pm Daily	142-S
Agriculture	Member	3:30 pm Daily	582-N

Highberger, Dennis "Boog"**Term: 2015**

Federal and State Affairs	District: 46 Member	Democrat 9:00 am Daily	346-S
Corrections and Juvenile Justice	*RM Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Jt. Corr. & Juv. Justice Oversight	*RM Member	On Call	On Call

Highland, Ron**Term: 2013**

Federal and State Affairs	District: 51 Vice-Chair	Republican 9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture	Member	3:30 pm Daily	582-N
Jt. Admin. Rules & Regulations	Chair	On Call	On Call

Hineman, Don**Term: 2009**

Calendar and Printing	District: 118 Chair	Republican On Call	On Call
Interstate Cooperation	Member	On Call	On Call
Legislative Budget (House)	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call

Hodge, Tim**Term: 2017**

Financial Institutions and Pensions	District: 72 Member	Democrat 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
General Government Budget	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	112-N

Hoffman, Kyle

Term: 2011

Appropriations	District: 116	Republican	
K-12 Education Budget	Member	9:00 am Daily	112-N
Agriculture	Member	1:30 pm Daily	346-S
Jt. Information Technology	Chair	3:30 pm Daily	582-N
	Member	On Call	On Call

Holscher, Cindy

Term: 2017

Water and Environment	District: 16	Democrat	
Health and Human Services	Member	9:00 am Tue/Thu	582-N
Interstate Cooperation	Member	1:30 pm Daily	546-S
	Member	On Call	On Call

Houser, Michael

Term: 2013

Federal and State Affairs	District: 1	Republican	
Transportation	Member	9:00 am Daily	346-S
Transp. and Public Safety Budget	Member	1:30 pm Daily	582-N
Kansas Security (Joint)	Vice-Chair	3:30 pm Daily	142-S
	Member	On Call	On Call

Huebert, Steve

Term: 2001

Jt. State Building Construction	District: 90	Republican	
K-12 Education Budget	Member	12:00 pm	159-S
Judiciary	Vice-Chair	1:30 pm Daily	346-S
Jt. Admin. Rules & Regulations	Member	3:30 pm Daily	112-N
	Member	On Call	On Call

Humphries, Susan

Term: 2017

Federal and State Affairs	District: 99	Republican	
Corrections and Juvenile Justice	Member	9:00 am Daily	346-S
Judiciary	Member	1:30 pm Daily	152-S
Jt. Corr. & Juv. Justice Oversight	Member	3:30 pm Daily	112-N
	Member	On Call	On Call

Jacobs, Trevor

Term: 2017

Federal and State Affairs	District: 4	Republican	
Transportation	Member	9:00 am Daily	346-S
Agriculture	Member	1:30 pm Daily	582-N
	Member	3:30 pm Daily	582-N

Jennings, Russell

Term: 2013

Financial Institutions and Pensions	District: 122	Republican	
Corrections and Juvenile Justice	Member	9:00 am Mon/Wed	281-N
Judiciary	Chair	1:30 pm Daily	152-S
Jt. Corr. & Juv. Justice Oversight	Member	3:30 pm Daily	112-N
	Chair	On Call	On Call

Johnson, Steven**Term: 2011**

Appropriations	District: 108 Member	Republican 9:00 am Daily	112-N
Ag and Natural Resources Budget	Member	1:30 pm Daily	142-S
Taxation	Chair	3:30 pm Daily	346-S
Jt. Pensions, Investments & Benefits	Chair	On Call	On Call

Jones, Kevin**Term: 2013**

Appropriations	District: 5 Member	Republican 9:00 am Daily	112-N
K-12 Education Budget	Member	1:30 pm Daily	346-S
Higher Education Budget	Chair	3:30 pm Daily	281-N
Kansas Security (Joint)	Chair	On Call	On Call

Judd-Jenkins, Anita**Term: 2017**

Children and Seniors	District: 80 Member	Republican 9:00 am Tue/Thu	218-N
General Government Budget	Member	1:30 pm Daily	218-N
Social Services Budget	Member	3:30 pm Daily	144-S

Karleskint, Jim**Term: 2017**

Federal and State Affairs	District: 42 Member	Republican 9:00 am Daily	346-S
K-12 Education Budget	Member	1:30 pm Daily	346-S
Agriculture	Member	3:30 pm Daily	582-N

Kelly, Jim**Term: 2011**

Financial Institutions and Pensions	District: 11 Chair	Republican 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
Health and Human Services	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	346-S
Jt. Pensions, Investments & Benefits	Member	On Call	On Call

Kessinger, Jan**Term: 2017**

Appropriations	District: 20 Member	Republican 9:00 am Daily	112-N
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Transp. and Public Safety Budget	Member	3:30 pm Daily	142-S

Kiegerl, S. Mike**Term: 2005-7/31/12; 7/31/13-2/15/17**

<i>Children and Seniors</i>	District: 121 <i>Vice-</i>	Republican 9:00 am Tue/Thu	218-N
<i>Government, Tech. and Security</i>	<i>Member</i>	9:00 am Mon/Wed	218-N

Koesten, Joy**Term: 2017**

Government, Tech. and Security	District: 28 Member	Republican 9:00 am Mon/Wed	218-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Transp. and Public Safety Budget	Member	3:30 pm Daily	142-S

Kuether, Annie

Term: 1997

Energy, Utilities and Telecomm.	District: 55 *RM Member	Democrat 9:00 am Mon/Wed	582-N
Water and Environment	Member	9:00 am Tue/Thu	582-N
Corrections and Juvenile Justice	Member	1:30 pm Daily	152-S
Judiciary	Member	3:30 pm Daily	112-N
Jt. Pensions, Investments & Benefits	Member	On Call	On Call

Lakin, Greg

Term: 2017

Appropriations	District: 91 Member	Republican 9:00 am Daily	112-N
Health and Human Services	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	112-N

Landwehr, Brenda

Term: 1995

Appropriations	District: 105 Member	Republican 9:00 am Daily	112-N
K-12 Education Budget	Member	1:30 pm Daily	346-S
Social Services Budget	Chair	3:30 pm Daily	144-S

Lewis, Greg

Term: 3-23-2015

Government, Tech. and Security	District: 113 Vice-Chair	Republican 9:00 am Mon/Wed	218-N
Water and Environment	Member	9:00 am Tue/Thu	582-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Agriculture	Member	3:30 pm Daily	582-N

Lusk, Nancy

Term: 2013

Federal and State Affairs	District: 22 Member	Democrat 9:00 am Daily	346-S
K-12 Education Budget	Member	1:30 pm Daily	346-S
Social Services Budget	Member	3:30 pm Daily	144-S
Jt. State -Tribal Relations	Member	On Call	On Call

Lusker, Adam

Term: 12-12-2013

Energy, Utilities and Telecomm.	District: 2 Member	Democrat 9:00 am Mon/Wed	582-N
Jt. State Building Construction	Chair	12:00 pm	159-S
Transportation	*RM Member	1:30 pm Daily	582-N
Agriculture	Member	3:30 pm Daily	582-N

Markley, Patty

Term: 2017

Children and Seniors	District: 8 Member	Republican 9:00 am Tue/Thu	218-N
Energy, Utilities and Telecomm.	Member	9:00 am Mon/Wed	582-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Higher Education Budget	Member	3:30 pm Daily	281-N

Mason, Les**Term: 2014**

Energy, Utilities and Telecomm.	District: 73	Republican	
Water and Environment	Member	9:00 am Mon/Wed	582-N
Commerce, Labor and Econ. Dev.	Member	9:00 am Tue/Thu	582-N
Taxation	Chair	1:30 pm Daily	112-N
	Member	3:30 pm Daily	346-S

Mastroni, Leonard**Term: 2017**

Children and Seniors	District: 117	Republican	
Transportation	Member	9:00 am Tue/Thu	218-N
Judiciary	Member	1:30 pm Daily	582-N
	Member	3:30 pm Daily	112-N

Miller, Vic**Term: 1979 -1984; 2017**

Federal and State Affairs	District: 58	Democrat	
Elections	Member	9:00 am Daily	346-S
Judiciary	*RM Member	1:30 pm Mon/Wed	281-N
	Member	3:30 pm Daily	112-N

Murnan, Monica**Term: 2017**

Children and Seniors	District: 3	Democrat	
Health and Human Services	Member	9:00 am Tue/Thu	218-N
Social Services Budget	Member	1:30 pm Daily	546-S
	Member	3:30 pm Daily	144-S

Neighbor, Cindy**Term: 2003-2004; 2007-2010; 2017**

Insurance	District: 18	Democrat	
General Government Budget	*RM Member	9:00 am Tue/Thu	281-N
Agriculture	Member	1:30 pm Daily	218-N
	Member	3:30 pm Daily	582-N

Ohaebosim, KC**Term: 2017**

Government, Tech. and Security	District: 89	Democrat	
Transportation	Member	9:00 am Mon/Wed	218-N
Taxation	Member	1:30 pm Daily	582-N
	Member	3:30 pm Daily	346-S

Orr, Boyd**Term: 2017**

Insurance	District: 115	Republican	
Elections	Member	9:00 am Tue/Thu	281-N
Local Government	Member	1:30 pm Mon/Wed	281-N
Agriculture	Member	1:30 pm Tue/Thu	281-N
	Member	3:30 pm Daily	582-N

Osterman, Les**Term: 2011**

Veterans and Military	District: 97	Republican	
Health and Human Services	Chair	9:00 am Tue/Thu	152-S
Judiciary	Member	1:30 pm Daily	546-S
Jt. State -Tribal Relations	Member	3:30 pm Daily	112-N
	Vice-Chair	On Call	On Call

Ousley, Jarrod

Term: 10-14-2014

Children and Seniors	District: 24 *RM Member	Democrat 9:00 am Tue/Thu	218-N
Ag and Natural Resources Budget	Member	1:30 pm Daily	142-S
Education	Member	3:30 pm Daily	546-S
Kansas Security (Joint)	Member	On Call	On Call

Parker, Brett

Term: 2017

Insurance	District: 29 Member	Democrat 9:00 am Tue/Thu	281-N
Elections	Member	1:30 pm Mon/Wed	281-N
Transp. and Public Safety Budget	Member	3:30 pm Daily	142-S

Patton, Fred

Term: 2015

Financial Institutions and Pensions	District: 50 Member	Republican 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
K-12 Education Budget	Member	1:30 pm Daily	346-S
Judiciary	Vice-Chair	3:30 pm Daily	112-N
Rules and Journal	Member	On Call	On Call

Phelps, Eber

Term: 1997-2012; 2017

Appropriations	District: 111 Member	Democrat 9:00 am Daily	112-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Higher Education Budget	*RM Member	3:30 pm Daily	281-N

Phillips, Tom

Term: 2-2-2012

Veterans and Military	District: 67 Member	Republican 9:00 am Tue/Thu	152-S
Commerce, Labor and Econ. Dev.	Member	1:30 pm Daily	112-N
Taxation	Vice-Chair	3:30 pm Daily	346-S
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Member	On Call	On Call

Pittman, Jeff

Term: 2017

Government, Tech. and Security	District: 41 Member	Democrat 9:00 am Mon/Wed	218-N
Veterans and Military	Member	9:00 am Tue/Thu	152-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture	Member	3:30 pm Daily	582-N

Powell, Randy

Term: 2015

Financial Institutions and Pensions	District: 30 Vice-Chair	Republican 9:00 am Mon/Wed	281-N
Insurance	Member	9:00 am Tue/Thu	281-N
Health and Human Services	Member	1:30 pm Daily	546-S
Education	Member	3:30 pm Daily	546-S

Probst, Jason***Term: 6-26-2017****District: 102****Democrat**

No committee assignments

Proehl, Richard**Term: 12-21-2005****District: 7****Republican**

Appropriations

Member

9:00 am Daily

112-N

Transportation

Chair

1:30 pm Daily

582-N

Taxation

Member

3:30 pm Daily

346-S

Jt. Pensions, Investments & Benefits

Member

On Call

On Call

Rafie, Abraham***Term: 1-10-2017****District: 48****Republican**

Government, Tech. and Security

Member

9:00 am Mon/Wed

218-N

Health and Human Services

Member

1:30 pm Daily

546-S

Taxation

Member

3:30 pm Daily

346-S

Rahjes, Ken**Term: 12-29-2015****District: 110****Republican**

Water and Environment

Vice-Chair

9:00 am Tue/Thu

582-N

Transportation

Member

1:30 pm Daily

582-N

Taxation

Member

3:30 pm Daily

346-S

Ralph, Bradley**Term: 2017****District: 119****Republican**

Appropriations

Member

9:00 am Daily

112-N

Commerce, Labor and Econ. Dev.

Member

1:30 pm Daily

112-N

Judiciary

Member

3:30 pm Daily

112-N

Jt. Special Claims Against the State

Member

On Call

On Call

Resman, John***Term: 2-16-2017****District: 121****Republican**

Children and Seniors

Member

9:00 am Tue/Thu

218-N

Government, Tech. and Security

Member

9:00 am Mon/Wed

218-N

General Government Budget

Member

1:30 pm Daily

218-N

Rooker, Melissa**Term: 2013****District: 25****Republican**

Federal and State Affairs

Member

9:00 am Daily

346-S

K-12 Education Budget

Member

1:30 pm Daily

346-S

Education

Member

3:30 pm Daily

546-S

Ruiz, Louis**Term: 2005****District: 31****Democrat**

Federal and State Affairs

*RM Member

9:00 am Daily

346-S

Commerce, Labor and Econ. Dev.

Member

1:30 pm Daily

112-N

Taxation

Member

3:30 pm Daily

346-S

Kansas Security (Joint)

Member

On Call

On Call

Ryckman, Ron**Term: 2013**

Calendar and Printing	District: 78	Republican	
Interstate Cooperation	Vice-Chair	On Call	On Call
Legislative Budget (House)	Chair	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
	Vice-Chair	On Call	On Call

Sawyer, Tom**Term: 1987-1998; 2003-2009; 2013**

Federal and State Affairs	District: 95	Democrat	
K-12 Education Budget	Member	9:00 am Daily	346-S
Taxation	Member	1:30 pm Daily	346-S
Rules and Journal	*RM Member	3:30 pm Daily	346-S
Jt. Pensions, Investments & Benefits	Vice-Chair	On Call	On Call
	Member	On Call	On Call

Schreiber, Mark**Term: 2017**

Energy, Utilities and Telecomm.	District: 60	Republican	
Water and Environment	Member	9:00 am Mon/Wed	582-N
Transportation	Member	9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	582-N
	Member	3:30 pm Daily	546-S

Schroeder, Don**Term: 2007**

Appropriations	District: 74	Republican	
Ag and Natural Resources Budget	Member	9:00 am Daily	112-N
Agriculture	Chair	1:30 pm Daily	142-S
Legislative Post Audit Committee	Member	3:30 pm Daily	582-N
	Member	On Call	On Call

Schwab, Scott**Term: 2003-2007; 5-27-2008**

K-12 Education Budget	District: 49	Republican	
Calendar and Printing	Member	1:30 pm Daily	346-S
Interstate Cooperation	Member	On Call	On Call
Legislative Budget (House)	Vice-Chair	On Call	On Call
Rules and Journal	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call

Seiwert, Joe**Term: 2009**

Energy, Utilities and Telecomm.	District: 101	Republican	
Water and Environment	Chair	9:00 am Mon/Wed	582-N
Commerce, Labor and Econ. Dev.	Member	9:00 am Tue/Thu	582-N
Agriculture	Member	1:30 pm Daily	112-N
	Member	3:30 pm Daily	582-N

Sloan, Tom**Term: 1995**

Energy, Utilities and Telecomm.	District: 45	Republican	
Water and Environment	Member	9:00 am Mon/Wed	582-N
Ag and Natural Resources Budget	Chair	9:00 am Tue/Thu	582-N
Agriculture	Member	1:30 pm Daily	142-S
	Member	3:30 pm Daily	582-N

Smith, Eric**Term: 2017**

Federal and State Affairs
 Corrections and Juvenile Justice
 Agriculture
 Kansas Security (Joint)

District: 76

Member
 Member
 Member
 Member

Republican

9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily
 On Call

346-S
 152-S
 582-N
 On Call

Smith, Adam**Term: 2017**

Insurance
 K-12 Education Budget
 Taxation

District: 120

Member
 Member
 Member

Republican

9:00 am Tue/Thu
 1:30 pm Daily
 3:30 pm Daily

281-N
 346-S
 346-S

Stogsdill, Jerry**Term: 2017**

Veterans and Military
 Commerce, Labor and Econ. Dev.
 Education

District: 21

Member
 Member
 Member

Democrat

9:00 am Tue/Thu
 1:30 pm Daily
 3:30 pm Daily

152-S
 112-N
 546-S

Sutton, Bill**Term: 8-29-2012**

Appropriations
 General Government Budget
 Education
 Jt. Admin. Rules & Regulations

District: 43

Member
 Chair
 Member
 Member

Republican

9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily
 On Call

112-N
 218-N
 546-S
 On Call

Swanson, Susie**Term: 2015**

Water and Environment
 Corrections and Juvenile Justice
 Higher Education Budget

District: 64

Member
 Member
 Vice-Chair

Republican

9:00 am Tue/Thu
 1:30 pm Daily
 3:30 pm Daily

582-N
 152-S
 281-N

Tarwater, Sean**Term: 2017**

Appropriations
 Commerce, Labor and Econ. Dev.
 Education

District: 27

Member
 Member
 Member

Republican

9:00 am Daily
 1:30 pm Daily
 3:30 pm Daily

112-N
 112-N
 546-S

Terrell, Patsy**Term: 2017-6/7/17**

Government, Tech. and Security
Water and Environment
Commerce, Labor and Econ. Dev.
Higher Education Budget

District: 102

Member
Member
Member
Member

Democrat

9:00 am Mon/Wed
9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily

218-N
582-N
112-N
281-N

Thimesch, Jack**Term: 2013**

Energy, Utilities and Telecomm.	District: 114 Member	Republican 9:00 am Mon/Wed	582-N
Elections	Member	1:30 pm Mon/Wed	281-N
Local Government	Vice-Chair	1:30 pm Tue/Thu	281-N
Taxation	Member	3:30 pm Daily	346-S

Thompson, Kent**Term: 10-16-2013**

Financial Institutions and Pensions	District: 9 Member	Republican 9:00 am Mon/Wed	281-N
Water and Environment	Member	9:00 am Tue/Thu	582-N
Local Government	Member	1:30 pm Tue/Thu	281-N
Agriculture	Vice-Chair	3:30 pm Daily	582-N
Interstate Cooperation	Member	On Call	On Call

Trimmer, Ed**Term: 8-19-2005**

Financial Institutions and Pensions	District: 79 Member	Democrat 9:00 am Mon/Wed	281-N
K-12 Education Budget	*RM Member	1:30 pm Daily	346-S
Education	Member	3:30 pm Daily	546-S
Rules and Journal	Member	On Call	On Call
Legislative Post Audit Committee	Member	On Call	On Call

Vickrey, Jene**Term: 1993**

Financial Institutions and Pensions	District: 6 Member	Republican 9:00 am Mon/Wed	281-N
Insurance	Chair	9:00 am Tue/Thu	281-N
K-12 Education Budget	Member	1:30 pm Daily	346-S
Education	Member	3:30 pm Daily	546-S

Victors, Ponka-We**Term: 2011**

Water and Environment	District: 103 *RM Member	Democrat 9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Jt. State -Tribal Relations	Member	On Call	On Call

Ward, Jim**Term: 2003**

Calendar and Printing	District: 86 *RM Member	Democrat On Call	On Call
Interstate Cooperation	*RM Member	On Call	On Call
Legislative Budget (House)	*RM Member	On Call	On Call
Jt. Admin. Rules & Regulations	Member	On Call	On Call
Legislative Coordinating Council	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on Home and Community Based Services and KanCare Oversight	Member	On Call	

Waymaster, Troy**Term: 2013**Appropriations
Legislative Budget (House)**District: 109**Chair
Chair**Republican**9:00 am Daily
On Call112-N
On Call**Weber, Chuck****Term: 1-11-2016**Federal and State Affairs
General Government Budget
Social Services Budget
Robert G. (Bob) Bethell Jt. Comm.
on Home and Community Based
Services and KanCare Oversight**District: 85**Member
Vice-Chair
Member
Member**Republican**9:00 am Daily
1:30 pm Daily
3:30 pm Daily
On Call346-S
218-N
144-S
On Call**Weigel, Virgil****Term: 2013-2014; 2017**Financial Institutions and Pensions
Veterans and Military
Corrections and Juvenile Justice
Agriculture**District: 56**Member
*RM Member
Member
Member**Democrat**9:00 am Mon/Wed
9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily281-N
152-S
152-S
582-N**Wheeler, John****Term: 2017**Veterans and Military
Transportation
Judiciary**District: 123**Member
Member
Member**Republican**9:00 am Tue/Thu
1:30 pm Daily
3:30 pm Daily152-S
582-N
112-N**Whipple, Brandon****Term: 2013**Financial Institutions and Pensions
Commerce, Labor and Econ. Dev.
Higher Education Budget
Jt. Information Technology**District: 96**Member
*RM Member
Member
Member**Democrat**9:00 am Mon/Wed
1:30 pm Daily
3:30 pm Daily
On Call281-N
112-N
281-N
On Call**Whitmer, John****Term: 10-2-2014**Federal and State Affairs
Corrections and Juvenile Justice
Judiciary
Jt. Special Claims Against the State**District: 93**Member
Vice-Chair
Member
Member**Republican**9:00 am Daily
1:30 pm Daily
3:30 pm Daily
On Call346-S
152-S
112-N
On Call**Williams, Kristey****Term: 2015**Federal and State Affairs
Elections
Local Government
Taxation**District: 77**Member
Member
Chair
Member**Republican**9:00 am Daily
1:30 pm Mon/Wed
1:30 pm Tue/Thu
3:30 pm Daily346-S
281-N
281-N
346-S

COMMITTEE AND INDIVIDUAL MEMBER INFORMATION

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Wilson, John

Term: 2013

Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	*RM Member	1:30 pm Daily	546-S
Agriculture	Member	3:30 pm Daily	582-N

Winn, Valdenia

Term: 2001

K-12 Education Budget	Member	1:30 pm Daily	346-S
Education	*RM Member	3:30 pm Daily	546-S
Jt. Admin. Rules & Regulations	Member	On Call	On Call

Wolfe Moore, Kathy

Term: 2011

Appropriations	*RM Member	9:00 am Daily	112-N
Taxation	Member	3:30 pm Daily	346-S
Legislative Budget (House)	Member	On Call	On Call
Jt. Special Claims Against the State	Member	On Call	On Call

**Constitutional Provisions
Governing
the
Kansas Legislature**



State of Kansas

KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

Article 2.—LEGISLATIVE

§ 1. Legislative power.—The legislative power of this state shall be vested in a house of representatives and senate.

§ 2. Senators and representatives.—The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for two year terms. Senators shall be elected for four year terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

§ 3. Compensation of members of legislature.—The members of the legislature shall receive such compensation as may be provided by law or such compensation as is determined according to law.

§ 4. Qualifications of members.—During the time that any person is a candidate for nomination or election to the legislature and during the term of each legislator, such candidate or legislator shall be and remain a qualified elector who resides in his or her district.

§ 5. Eligibility and disqualification of members.—No member of congress and no civil officer or employee of the United States or of any department, agency, or instrumentality thereof shall be eligible to be a member of the legislature. Any member of the legislature who accepts any appointment or election contrary to the foregoing shall be disqualified as a member of the legislature.

§ 6. This section was eliminated by the 1974 revision of this article.

§ 7. This section was eliminated by the 1974 revision of this article.

§ 8. Organization and sessions.—The legislature shall meet in regular session annually commencing on the second Monday in January, and all sessions shall be held at the state capital. The duration of regular sessions held in even-numbered years shall not exceed ninety calendar days. Such sessions may be extended beyond ninety calendar days by an affirmative vote of two-thirds of the members elected to each house. Bills and concurrent resolutions under consideration by the legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next succeeding regular session held in an even-numbered year, as if there had been no such adjournment.

The legislature shall be organized concurrently with the terms of representatives except that the senate shall remain organized during the terms of senators. The president of the senate shall preside over the senate, and the speaker of the house of representatives shall preside over the house of representatives. A majority of the members then elected (or appointed) and qualified of the house of representatives or the senate shall constitute a quorum of that house. Neither house, without the consent of the

other, shall adjourn for more than two days, Sundays excepted.

Each house shall elect its presiding officer and determine the rules of its proceedings, except that the two houses may adopt joint rules on certain matters and provide for the manner of change thereof. Each house shall provide for the expulsion or censure of members in appropriate cases.

Each house shall be the judge of elections, returns and qualifications of its own members.

§ 9. Vacancies in legislature.—All vacancies occurring in either house shall be filled as provided by law.

§ 10. Journals.—Each house shall publish a journal of its proceedings. The affirmative and negative votes upon the final passage of every bill and every concurrent resolution for amendment of this constitution or ratification of an amendment to the Constitution of the United States shall be entered in the journal. Any member of either house may make written protest against any act or resolution, and the same shall be entered in the journal without delay or alteration.

§ 11. This section was eliminated by the 1974 revision of this article.

§ 12. Origination by either house.—Bills and concurrent resolutions may originate in either house, but may be amended or rejected by the other.

§ 13. Majority for passage of bills.—A majority of the members then elected (or appointed) and qualified of each house, voting in the affirmative, shall be necessary to pass any bill. Two-thirds (2/3) of the members then elected (or appointed) and qualified in each house, voting in the affirmative, shall be necessary to ratify any amendment to the Constitution of the United States or to make any application for congress to call a convention for proposing amendments to the Constitution of the United States.

§ 14. Approval of bills; vetoes.—(a) Within ten days after passage, every bill shall be signed by the presiding officers and presented to the governor. If the governor approves a bill, he shall sign it. If the governor does not approve a bill, the governor shall veto it by returning the bill, with a veto message of the objections, to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and in not more than thirty calendar days (excluding the day received), the house of origin shall reconsider the bill. If two-thirds of the members then elected (or appointed) and qualified shall vote to pass the bill, it shall be sent, with the veto message, to the other house, which shall in not more than thirty calendar days (excluding the day received) also reconsider the bill, and if approved by two-thirds of the members then elected (or appointed) and qualified, it shall become a law, notwithstanding the governor's veto.

If any bill shall not be returned within ten calendar days (excluding the day presented) after it shall have been presented to the governor, it shall become a law in like manner as if it had been signed by the governor.

(b) If any bill presented to the governor contains several items of appropriation of money, one or more of such items may be disapproved by the governor while the other portion of the bill is approved by the governor. In case the governor does so disapprove, a veto message of the governor stating the item or items disapproved, and the reasons

therefor, shall be appended to the bill at the time it is signed, and the bill shall be returned with the veto message to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and, in not more than thirty calendar days, the house of origin shall reconsider the items of the bill which have been disapproved. If two-thirds of the members then elected (or appointed) and qualified shall vote to approve any item disapproved by the governor, the bill, with the veto message, shall be sent to the other house, which shall in not more than thirty calendar days also reconsider each such item so approved by the house of origin, and if approved by two-thirds of all the members then elected (or appointed) and qualified, any such item shall take effect and become a part of the bill.

§ 15. Requirements before bill passed.—No bill shall be passed on the day that it is introduced, unless in case of emergency declared by two-thirds of the members present in the house where a bill is pending.

§ 16. Subject and title of bills; amendment or revival of statutes.—No bill shall contain more than one subject, except appropriation bills and bills for revision or codification of statutes. The subject of each bill shall be expressed in its title. No law shall be revived or amended, unless the new act contain the entire act revived or the section or sections amended, and the section or sections so amended shall be repealed. The provisions of this section shall be liberally construed to effectuate the acts of the legislature.

§ 17. Uniform operation of laws of a general nature.—All laws of a general nature shall have a uniform operation throughout the state: *Provided*, The legislature may designate areas in counties that have become urban in character as “urban areas” and enact special laws giving to any one or more of such counties or urban areas such powers of local government and consolidation of local government as the legislature may deem proper.

§ 18. Election or appointment of officers; filling vacancies.—The legislature may provide for the election or appointment of all officers and the filling of all vacancies not otherwise provided for in this constitution.

§ 19. Publication of acts.—No act shall take effect until the enacting bill is published as provided by law.

§ 20. Enacting clause of bills; laws enacted only by bill.—The enacting clause of all bills shall be “Be it enacted by the Legislature of the State of Kansas:”. No law shall be enacted except by bill.

§ 21. Delegation of powers’ of local legislation and administration.—The legislature may confer powers of local legislation and administration upon political subdivisions.

§ 22. Legislative immunity.—For any speech, written document or debate in either house, the members shall not be questioned elsewhere. No member of the legislature shall be subject to arrest—except for treason, felony or breach of the peace—in going to, or returning from, the place of meeting, or during the continuance of the session;

neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

§ 23. This section was eliminated by the 1974 revision of this article.

§ 24. **Appropriations.**—No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.

§ 25. This section was eliminated by the 1974 revision of this article.

§ 26. **This section was repealed by the adoption of 1972 HCR 1097, on Aug. 1, 1972.**

§ 27. **Impeachment.**—The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators then elected (or appointed) and qualified.

§ 28. **Officers impeachable; grounds; punishment.**—The governor and all other officers under this constitution, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

§ 29. This section was eliminated by the 1974 revision of this article.

§ 30. **Delegations to interstate bodies.**—The legislature may confer legislative powers upon interstate bodies, comprised of officers of this state or its political subdivisions acting in conjunction with officers of other jurisdictions, relating to the functions thereof. Any such delegation, and any agreement made thereunder shall be subject to limitation, change or termination by the legislature, unless contained in a compact approved by the congress.

**Joint Rules
of the
Senate and
House of Representatives**



State of Kansas

2017 - 2018

January 2017

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JOINT RULES OF THE
SENATE AND HOUSE OF REPRESENTATIVES
2017-2018

Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation. (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of $\frac{2}{3}$ of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president, and (2) either (a) a copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

Joint rule 2. Joint sessions. (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the

senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

Joint rule 3. Conference committee procedure. (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or

concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a

conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of $\frac{2}{3}$ of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference

committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-*

numbered year. Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

Joint rule 4. Deadlines for introduction and consideration of bills. The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on January 30, 2017, during the 2017 regular session and on January 29, 2018, during the 2018 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 8, 2017, during the 2017 regular session and on February 7, 2018, during the 2018 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 6, 2017, during the 2017 regular session and on February 5, 2018, during the 2018 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations

and taxation shall be introduced in either house after the hour of adjournment on February 10, 2017, during the 2017 regular session and on February 9, 2018, during the 2018 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 23, 2017, during the 2017 regular session and on February 22, 2018, during the 2018 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 30, 2017, during the 2017 regular session and March 29, 2018, during the 2018 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall

apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 7, 2017, during the 2017 regular session and after April 6, 2018, during the 2018 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

Joint rule 5. Closure of meetings to consider matters relating to security. Any standing committee of the House of Representatives, any standing committee of the Senate, the Legislative Coordinating Council, any joint committee of both houses of the legislature, any special or select committee of the House of Representatives or the Senate, the House of Representatives in session, the Senate in session or a joint session of the House of Representatives and the Senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas.

Joint rule 6. Floor amendments to bills making appropriations. (a) Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

**RULES OF THE
KANSAS HOUSE
OF REPRESENTATIVES**



**2017 - 2018
BIENNIUM**

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RULES OF THE HOUSE OF REPRESENTATIVES 2017-2018

Changes from 2015-2016 House Rules shown in italics

ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

Rule 101. Time of Meeting.

The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. *No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.*

Rule 102. Speaker Taking Chair.

The Speaker shall take the chair each day, at the hour to which the House has adjourned. The Speaker shall call the House to order and proceed to business in accordance with the Rules of the House.

Rule 103. First Business.

The first business each legislative day shall be the taking of the roll, the taking of roll shall be followed by prayer and the prayer shall be followed by the recitation of the pledge of allegiance to the flag of the United States of America led by a member designated by the Speaker.

Rule 104. Order of Business.

(a) The regular order of business each legislative day, except on days and at times set apart for the consideration of special orders and except as provided by the joint rules of the House and Senate, shall be as follows:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.
- (7) Consideration of motions and house resolutions offered on a previous day.
- (8) The unfinished business before the House at the time of adjournment on the previous day.
- (9) Consent calendar.
- (10) Final Action on bills and concurrent resolutions.
- (11) Bills under consideration to concur and nonconcur.
- (12) General Orders.
- (13) Reports of standing committees.

(b) The presentation of petitions shall be a special order of business on Friday of each week immediately preceding the regular order of business.

Rule 105. Members Excused from Attendance.

Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

Rule 106. Introduction of Guests.

Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

Rule 107. Session Proforma.

(a) The House of Representatives may meet from time to time for the sole purpose of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

(1) Introduction and reference of bills and concurrent resolutions.

(2) Receipts of messages from the Governor.

(3) Communications from State Officers.

(4) Messages from the Senate.

(5) Reports of Standing Committees.

(6) Presentation of Petitions.

(d) Motions. No motion shall be in order other than the motion to adjourn.

(e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 11:00 a.m.

(f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.

(g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions.

Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice chairperson, may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment shall be

debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

ARTICLE 3. QUORUM

Rule 301. Quorum, What Constitutes.

A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

Rule 302. Absence of Quorum.

In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

Rule 303. Roll Call to Determine Quorum.

A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

Rule 501. Admission to Floor.

(a) During daily sessions, from the time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

Rule 502. Food and Drink.

Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

Rule 503. Galleries.

Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

Rule 504. Placing Material on Member's Desk.

No items or material shall be placed upon the desk of any member of the House unless any such item or material bears the signature and printed name of the member responsible for its distribution. This Rule 504 shall not apply to items or material provided by legislative staff.

Rule 505. Photographic Record of Vote.

No photographic or similar record shall be made of the vote of any member upon any measure upon which a division of the assembly has been called.

Rule 506. Wireless Electronic Telecommunications Devices.

Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

Rule 507. Computer Usage.

Computers may be used on the floor of the House chamber only for legislative or personal business during any time the House is in session.

ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS**Rule 701. Introduction of House Bills and Resolutions.**

Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

Rule 702. Introduction of Senate Bills and Concurrent Resolutions.

Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

Rule 703. Reading of Bills and Resolutions for Introduction.

For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

Rule 704. Senate Bills and Concurrent Resolutions; Procedure Following Introduction.

Following introduction, all Senate bills and Senate concurrent resolutions when in the House shall follow the same procedure as House bills and House concurrent resolutions.

ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS**Rule 901. Reference, Generally.**

(a) On the day of introduction or the following legislative day, the Speaker shall refer each bill to:

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

(1) In any way that a bill may be referred under subsection (a), if the concurrent resolution is a proposition to amend the Constitution of Kansas, to call a constitutional convention to amend or revise the Constitution of Kansas, to ratify an amendment to the Constitution of the United States, to apply for a United States constitutional convention, or to amend the joint rules of the House and Senate;

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection (b), it may be referred in any way that a bill may be referred under

subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

(d) Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, for the regular session of the legislature held in even-numbered years may be referred by the Speaker to the appropriate committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the chief clerk of the House.

Rule 902. Appropriation Bills.

Bills containing more than one item of appropriation shall be referred to the standing committee on appropriations, except that bills introduced by the committee on appropriations may be referred to the committee of the whole House.

Rule 903. Separately Referred Bills and Resolutions.

(a) When a bill or resolution has been referred separately to two or more standing committees, each committee shall consider the bill or resolution separately in the order specified by the Speaker.

(b) If the first committee to which a bill or resolution has been separately referred reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

(c) When a bill has been referred separately and the report of the first committee was not adverse, the report of the second committee shall be the report considered by the committee of the whole House.

Rule 904. Jointly Referred Bills and Resolutions.

When a bill or resolution is jointly referred, it shall be considered and acted upon at a joint meeting of the two committees. The chairperson of the first committee named in the joint referral shall be the chairperson of the joint committee when considering such bill or resolution.

ARTICLE 11. COMMITTEES; COMPOSITION

Rule 1101. Standing Committees; Names and Members.

(a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Agriculture.....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development	17
6. Corrections and Juvenile Justice	13
7. Education	17
8. Elections.....	13

9. *Energy, Utilities and Telecommunications* 17

10. Federal and State Affairs 23

11. *Financial Institutions and Pensions* 17

12. *Government, Technology and Security*..... 13

13. Health and Human Services 17

14. Insurance 17

15. Interstate Cooperation 7

16. Judiciary 23

17. Local Government..... 13

18. Rules and Journal 7

19. Taxation 23

20. Transportation 17

21. *Veterans and Military*..... 13

22. *Water and Environment*..... 17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. *The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in*

the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c.

Rule 1102. Committee Appointments.

(a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The Speaker shall appoint the chairperson and vice chairperson of each standing committee. The Speaker may remove or replace any such chairperson or vice chairperson at any time.

Rule 1103. Select Committees.

The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

Rule 1104. Announce Appointments.

All committee appointments shall be announced in open session.

Rule 1105. Budget Committees.

(a) There is hereby created the following budget committees of the committee on appropriations which shall have the number of members indicated for each:

- 1. Agriculture and natural resources budget committee 9
- 2. General government budget committee 9
- 3. Higher education budget committee 9
- 4. K-12 education budget committee..... 17
- 5. Legislative budget committee 8
- 6. Social services budget committee 9
- 7. Transportation and public safety budget committee 9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

ARTICLE 13. COMMITTEES; PROCEDURE**Rule 1301. Committee Meetings; Time and Place.**

(a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

(b) Also, when the Legislature is in session, a standing committee shall meet upon written request of three members of the committee. Such a request shall be submitted to the Speaker and the chairperson at least one legislative day before the requested time of meeting. The time and place of a meeting under this subsection (b) shall be set by the chairperson with the approval of the Speaker.

Rule 1302. Notice and Agenda for Committee Meetings.

The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

Rule 1303. Duties of Committee Chairperson.

The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings which shall include:
 - (1) The time and place of each meeting of the committee;
 - (2) the attendance of committee members; and
 - (3) the names and city and state of residence of persons appearing before the committee and whom each represents;
- (e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;
- (f) to appoint subcommittees to perform duties on an informal basis; and
- (g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

Rule 1304. Introduction of Committee Bills and Resolutions.

A committee may introduce bills and resolutions while the Legislature is in session respecting any matters referred to it. Unless approved by the Speaker, a standing committee may introduce bills and resolutions only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

Rule 1305. Quorum of a Committee.

A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

Rule 1306. Voting in Committees.

(a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(c) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

Rule 1307. Procedure in General.

Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

Rule 1308. Committee Action on Bills and Resolutions.

(a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee. If a committee recommends amendments to a bill or resolution referred to it which strike out all of the material in the bill or resolution subsequent to the enacting clause or resolving clause and inserts new material, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill as the sponsor.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.

(a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered

on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

(b) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

(c) The provisions of subsections (a) and (b) of this rule shall not apply to resolutions adopting or amending rules of the House. Resolutions relating to the adoption or the amendment of rules of the House may be withdrawn from the Committee on Rules and Journal at any time by the affirmative vote of 63 members of the House.

Rule 1310. Wireless Electronic Telecommunications Devices.

Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

Rule 1501. General Orders; Description and Function.

Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

Rule 1502. Posting of Sequence for Succeeding Day.

When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

Rule 1503. Change in the Sequence on General Orders.

(a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members.

(b) Also, the order of a bill or resolution on General Orders may be changed by vote of a majority of all members then elected (or appointed) and qualified of the House on a motion made as provided in this subsection (b). Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The

motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

(c) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(d) This Rule 1503 does not apply to the addition or removal of a bill or resolution from General Orders.

Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.

Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.

(a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words “Adversely Reported” shall be printed in a line below the title of the bill when it is listed on General Orders.

Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.

When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

Rule 1507. Disposition of Bills Subject to Certain Deadlines.

Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar

unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

Rule 1701. Requesting the Floor.

Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

Rule 1702. Order During Speaking.

While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

Rule 1703. When Question is Put.

While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

Rule 1704. Violation of Rules While Speaking.

(a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall not be affected by any order for the previous question or that debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

Rule 1705. Point of Personal Privilege.

Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received statewide or national award or statewide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

ARTICLE 19. COMMITTEE OF THE WHOLE

Rule 1901. Motion to go into Committee of the Whole House.

When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

Rule 1902. Committee of the Whole; Normal Procedure.

Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended, the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. After a section has been once considered, no amendment thereto shall be in order until the whole bill shall have been considered section by section. After the original bill, together with standing committee amendments if any, has been considered section by section, the chairperson shall announce, "Amendments to the bill generally are in order," and amendments not before offered may be made to any part of the bill. A motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.

When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.

When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.

(a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

Rule 1906. Requesting the Floor.

Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

Rule 1907. Rules Applicable.

The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

Rule 1908. Rise and Report.

A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

Rule 1909. Effect of Recommendation of Committee of the Whole.

Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

Rule 1910. Report of Committee of the Whole.

When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS**Rule 2101. Germaneness.**

Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title

thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

Rule 2102. Form of Amendment Motions.

Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

Rule 2103. Reading Amendments; General Rule.

Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

Rule 2104. Motions to Amend Motions.

A motion to amend a motion to amend a bill or resolution shall not be in order.

Rule 2105. Dividing Amendments.

(a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend;

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(b) Upon a request to divide a motion to amend a bill or resolution, the presiding officer shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the presiding officer shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The presiding officer, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (4), inclusive, of subsection (a). The ruling of the

chairperson of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson, or vice chairperson, on the grounds that the division is not in accordance with a rule of the House including the provisions of items (1), (2), (3) or (4) of subsection (a), or any combination thereof.

Rule 2106. Substitute Motions.

No substitute motion to amend a bill or resolution shall be in order.

Rule 2107. Subject Change by Senate.

(a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

Rule 2108. Motions to Strike Out and Insert.

The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule 2109. Identical Motions.

Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

Rule 2110. Floor Amendments to Bills Making Appropriations.

(a) Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

(b) *The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.*

ARTICLE 23. PROCEDURAL MOTIONS

Rule 2301. Order of Motions.

When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

(a) For adjournment of the House.

- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

Rule 2302. Motion to Adjourn.

The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

Rule 2303. Motion to Reconsider.

A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

Rule 2304. Previous Question.

The “previous question” shall be: “Shall the main question be now put?” and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the members present shall order the previous question.

Rule 2305. Motions Not Subject to Debate.

All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.

When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.

When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 2308. Stating Question.

Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

Rule 2309. Dividing Motion.

If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

Rule 2310. When Motions to be in Writing.

Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

Rule 2311. Suspension of Rules of the House.

(a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of 2/3 of

the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

Rule 2312. Mason's Manual; When Applicable.

(a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (2010 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

ARTICLE 25. VOTING

Rule 2501. Control and Use of Voting System.

The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

Rule 2502. Procedure for Taking a Roll Call Vote.

When a roll call vote is taken, the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change his their votes have had reasonable opportunity to do so, the presiding officer shall announce the

vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

Rule 2503. Display of Recurring Totals.

Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

Rule 2504. Voting by Members.

(a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

Rule 2505. Explaining Vote.

Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

Rule 2506. Copies of Voting Records.

(a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

Rule 2507. When Roll Call Vote to be Taken.

(a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to

commendations or acknowledgments, unless required under subsection (e) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

Rule 2508. Call of the House.

(a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless excused by the Speaker. All members present during the call shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort, as determined by the Speaker, has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a 2/3 majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

Rule 2509. Voice Vote; Division of the Assembly.

Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

ARTICLE 27. FINAL ACTION

Rule 2701. Description and Function.

Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each thereof.

Rule 2702. Reading and Vote.

Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

Rule 2703. Amendment and Debate, When.

Upon motion as provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

Rule 2704. Speaker to Preside.

Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

Rule 2705. Consent Calendar.

Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

Rule 2706. Majority for Bill Passage.

As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions.

(a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

Rule 2708. Motion to Adopt Report of Conference Committee.

The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

ARTICLE 29. RESOLUTIONS**Rule 2901. Resolving Clause; Form.**

(a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas."

Rule 2902. House Resolutions; Introduction and Consideration.

(a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) House resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

Rule 2903. Resolutions; Limitations.

(a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House.

Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application

shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

ARTICLE 33. MEMBER OFFICERS

Rule 3301. Elected Member Officers.

The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

Rule 3302. Duties of the Speaker.

In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

- (a) To preserve order and decorum;
- (b) to decide all questions of order, subject to appeal to the House;
- (c) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and
- (d) to name a chairperson to preside when the House is in Committee of the Whole.

Rule 3303. Speaker Pro Tem.

In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

Rule 3304. Filling Certain Vacancies.

(a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a

time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer.

Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

ARTICLE 35. NONMEMBER OFFICERS

Rule 3501. Chief Clerk; Appointment.

The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

Rule 3502. Duties of the Chief Clerk.

The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

Rule 3503. Other Clerks.

The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

Rule 3504. Document Care.

No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

Rule 3505. Sergeant at Arms; Appointment.

The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

Rule 3506. Duties of the Sergeant at Arms.

The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

Rule 3507. Assistant Sergeants at Arms.

The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE**Rule 3701. Adopting, Amending or Revoking Rules of the House.**

No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 3702. Resolutions for Rule Changes.

(a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such committee except by the unanimous vote of all members of such committee.

Rule 3703. Printing.

Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

Rule 3704. Adoption of Resolutions.

Resolutions to which this Article 37 apply shall be subject to Rule 2902.

Rule 3705. Special Sponsorship of Rule Change Resolutions.

Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday pre-

ceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

Rule 3901. Bills Amending Existing Statutes.

Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

Rule 3902. Bills, Copies.

Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing shall be ordered subsequent to introduction.

Rule 3903. Showing Committee Amendments.

All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.

(a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced, and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent resolutions, "Substitute for House Concurrent Resolution No. _____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. _____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

Rule 3905. Appropriation Bills.

All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by E-mail, at least 24 hours before such bills are considered by the House.

Rule 3906. Committee of the Whole Amendments.

If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

Rule 3907. Concurrent Resolutions, When Printed.

(a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

Rule 3908. Embellished Printing of Certain Resolutions.

Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

Rule 3909. House Resolutions.

Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

ARTICLE 41. JOURNAL AND CALENDAR**Rule 4101. Journal; Preparation.**

The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

Rule 4102. Entering in Journal.

When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

Rule 4103. Resolutions in Journal.

All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

Rule 4104. Messages from the Governor in Journal.

All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

Rule 4105. Calendar; Preparation.

The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

Rule 4106. Status of Bills and Resolutions Shown in Calendar.

The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

Rule 4107. Copies of Journals and Calendars.

Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

ARTICLE 43. MISCELLANEOUS**Rule 4301. Employees; Employment.**

Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

Rule 4302. Special Order.

Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

Rule 4303. Petitions; Presentation.

Petitions and memorials addressed to the House shall be presented by a member.

Rule 4304. Petitions; Endorse Name.

Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

Rule 4305. Open Meetings.

The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS**Rule 4501. Referral of Executive Reorganization Orders.**

Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

Rule 4502. Committee Report on Executive Reorganization Orders.

If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15 calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

Rule 4503. Return in Event of Committee's Failure to Report.

If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

Rule 4504. Special Order of Business for ERO.

When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

Rule 4505. Nonapplication to Bills.

This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

Rule 4506. Nonaction When Moot.

The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

ARTICLE 47. IMPEACHMENT**Rule 4701. Impeachment; Powers.**

Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

Rule 4702. Same; Select Committee.

The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeach-

ment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

Rule 4703. Same; Reference.

The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

Rule 4704. Same; Report.

Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

Rule 4705. Same; Call into Session.

The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

Rule 4706. Same; Procedure.

The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

Rule 4901. Complaint.

When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

Rule 4902. Select Committee; Consideration of Complaint.

(a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated

and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

Rule 4903. Action by House.

Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a 2/3 majority vote of those members elected (or appointed) and qualified of the House of Representatives.

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JOURNAL
OF THE
HOUSE

2017 REGULAR SESSION
JANUARY 9 THROUGH ADJOURNMENT JUNE 26, 2017

SUSAN W. KANNARR, *Chief Clerk of the House*

EXPLANATION OF ABBREVIATIONS

Substantial economy of space was achieved in the text of the Journals by shortening the numerous references to bill and resolution numbers. Placing these in boldface type facilitates locating the bills readily on each page. The abbreviations used are as follows:

HB 2001	House Bill No. 2001
HCR 5001.....	House Concurrent Resolution No. 5001
HR 6001	House Resolution No. 6001
HP 2001	House Petition No. 2001
SB 1	Senate Bill No. 1
SCR 1601.....	Senate Concurrent Resolution No. 1601

EXPLANATION OF PAGE NUMBERING

The Senate and House Journals are printed in separate volumes. Paging in both Journals is consecutive and begin with page 1, continuing through the two-year biennium.

Under the section “History of Bills” HJ and SJ page numbers refer to the separate House Journal and Senate Journal volumes.

Journal of the House

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, December 5, 2016, 10:00 a.m.

In accordance with the provisions of K.S.A. 46-142, those members elected at the General Election, November 8, 2016, convened at 10:00 a.m.

The meeting was called to order by Kris Kobach, Secretary of State, who presented the following certification.

**State of Kansas
Secretary of State**

I, KRIS W. KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two year term beginning on the second Monday of January, A.D. 2017.

District

1st Michael Houser
2nd Adam J. Lusker Sr.
3rd Monica Murnan
4th Trevor Jacobs
5th Kevin Jones
6th Jene Vickrey
7th Richard J. Proehl
8th Patty Markley
9th Kent L. Thompson
10th John Wilson
11th Jim Kelly
12th Doug Blex
13th Larry P. Hibbard
14th Keith Esau
15th Erin L. Davis
16th Cindy Holscher
17th Tom Cox
18th Cindy Neighbor
19th Stephanie Clayton
20th Jan H. Kessinger
21st Jerry Stogsdill
22nd Nancy Lusk
23rd Linda Gallagher
24th Jarrod Ousley
25th Melissa Rooker

District

26th Larry L. Campbell
27th Sean E. Tarwater Sr.
28th Joy Koesten
29th Brett Parker
30th Randy Powell
31st Louis E. Ruiz
32nd Pam Curtis
33rd Tom Burroughs
34th Valdenia C. Winn
35th Broderick Henderson
36th Kathy Wolfe Moore
37th Stan Frownfelter
38th Willie Dove
39th Shelee Brim
40th Debbie Deere
41st Jeff Pittman
42nd Jim Karleskint
43rd Bill Sutton
44th Barbara W. Ballard
45th Tom Sloan
46th Dennis "Boog" Highberger
47th Ronald B. Ellis
48th Marvin Kleeb
49th Scott Schwab
50th Fred C. Patton

District

51st Ron Highland
 52nd Brenda S. Dietrich
 53rd Jim Gartner
 54th Ken Corbet
 55th Annie Kuether
 56th Virgil Weigel
 57th John Alcala
 58th Vic Miller
 59th Blaine Finch
 60th Mark Schreiber
 61st Francis Awerkamp
 62nd Randy Garber
 63rd John R. Eplee
 64th Susie Swanson
 65th Lonnie G. Clark
 66th Sydney Carlin
 67th Tom Phillips
 68th Dave Baker
 69th J.R. Claeys
 70th John E. Barker
 71st Diana Dierks
 72nd Tim Hodge
 73rd Les Mason
 74th Don Schroeder
 75th Mary Martha Good
 76th Eric L. Smith
 77th Kristey S. Williams
 78th Ron Ryckman
 79th Ed Trimmer
 80th Anita Judd-Jenkins
 81st Blake Carpenter
 82nd Pete DeGraaf
 83rd Henry Helgerson
 84th Gail Finney
 85th Chuck Weber
 86th Jim Ward
 87th Roger A. Elliott

District

88th Elizabeth Bishop
 89th KC Ohaebosim
 90th Steve Huebert
 91st Greg Lakin
 92nd John Carmichael
 93rd John Whitmer
 94th Leo Delperdang
 95th Tom Sawyer
 96th Brandon Whipple
 97th Leslie G. Osterman
 98th Steven G. Crum
 99th Susan Humphries
 100th Daniel Hawkins
 101st Joe Seiwert
 102nd Patsy Terrell
 103rd Ponka-We Victors
 104th Steven R. Becker
 105th Brenda Landwehr
 106th Clay Aurand
 107th Susan L. Concannon
 108th Steven Johnson
 109th Troy L. Waymaster
 110th Ken Rahjes
 111th Eber Phelps
 112th Tory M. Arnberger
 113th Greg Lewis
 114th Jack Thimesch
 115th Boyd Orr
 116th Kyle D. Hoffman
 117th Leonard A. Mastroni
 118th Don Hineman
 119th Bradley Ralph
 120th Adam Smith
 121st S. Mike Kiegerl
 122nd J. Russell "Russ" Jennings
 123rd John P. Wheeler Jr.
 124th J. Stephen Alford
 125th Shannon Francis

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 5th day of December, A.D. 2016.

KRIS W. KOBACH
Secretary of State

ERIC RUCKER
Assistant Secretary of State

124 members-elect were present.

Secretary of State Kris Kobach appointed Member-Elect Proehl to serve as temporary chairperson.

Mr. Proehl announced the meeting would recess until the sound of the gavel for the respective party caucuses.

Mr. Proehl called the meeting to order pursuant to recess.

Majority Party Caucus Chairperson Susan Concannon submitted the following report:

The members-elect of the majority party of the House of Representatives have met and caucused as required by K.S.A. 46-142, and:

(a) Nominate as their candidate for the following offices for the next ensuing biennium:

- (1) Speaker of the House of Representatives, Ron Ryckman
- (2) Speaker Pro Tem of the House of Representatives, Scott Schwab

(b) Select the following caucus or party officers:

- (1) Majority Leader, Don Hineman
- (2) Assistant Majority Leader, Tom Phillips
- (3) Majority Whip, Kent Thompson
- (4) Caucus Chairperson, Susan Concannon

Minority Party Caucus Chairperson Barbara Ballard submitted the following report:

The members-elect of the minority party of the House of Representatives have met and caucused as required by K.S.A. 46-142, and have selected the following caucus or party officers.

- (a) Minority Leader, Jim Ward
- (b) Assistant Minority Leader, Stan Frownfelter
- (c) Minority Whip, Ed Trimmer
- (d) Agenda Chairperson, Brandon Whipple
- (e) Caucus Chairperson, Barbara Ballard
- (f) Policy Chairperson, Adam Lusker

On motion of Member-Elect Hineman, the caucus reports were received and ordered entered into the Journal.

Mr. Proehl declared the House adjourned until 2:00 p.m., Monday, January 9, 2017.

BECKIE HENDRICKS, JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

Journal of the House

FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 9, 2017, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2017 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Eric Rucker, Assistant Secretary of State.

Prayer by guest chaplain, Kent A. Pedersen, Senior Pastor, First Church of the Nazarene, Hutchinson:

Father, Creator of all things,
we come to You on this special day
to seek Your blessings for our great
state of Kansas!

We ask for Your wisdom that is given
freely when we simply ask to guide us
and Your grace that is available to all
to protect us!

Father bless these, Your public servants,
who have been called by You and elected
by the people they serve to fulfill
Your requirements: to act justly, to love
mercy, and to walk humbly with You!

We give You all the glory and pray this in the powerful and
mighty Name of Jesus Your Son. Amen.

The Pledge of Allegiance was led by Representative-elect Patton.

Assistant Secretary of State Eric Rucker announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

**State of Kansas
Office of
Secretary of State**

I, KRIS KOBACH, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2017.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 1st day of December, A.D. 2016.

KRIS KOBACH
Secretary of State

Members of the House of Representatives were then called in blocks of ten, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Lawton R. Nuss, Kansas Supreme Court, as follows:

State of Kansas, County of Shawnee, ss:

We and each of us, do solemnly swear or affirm, that we will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Representative of the State of Kansas, so help me God.

District

1st Michael Houser
2nd Adam J. Lusker Sr.
3rd Monica Murnan
4th Trevor Jacobs
5th Kevin Jones
6th Jene Vickrey
7th Richard J. Proehl
8th Patty Markley
9th Kent L. Thompson
10th John Wilson
11th Jim Kelly
12th Doug Blex
13th Larry P. Hibbard
14th Keith Esau
15th Erin L. Davis
16th Cindy Holscher
17th Tom Cox
18th Cindy Neighbor
19th Stephanie Clayton
20th Jan H. Kessinger
21st Jerry Stogsdill
22nd Nancy Lusk

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30th Randy Powell
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32nd Pam Curtis
33rd Tom Burroughs
34th Valdenia C. Winn
35th Broderick Henderson
36th Kathy Wolfe Moore
37th Stan Frownfelter
38th Willie Dove
39th Shelee Brim
40th Debbie Deere
41st Jeff Pittman
42nd Jim Karleskint
43rd Bill Sutton
44th Barbara W. Ballard

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 48th Marvin Kleebe
 49th Scott Schwab
 50th Fred C. Patton
 51st Ron Highland
 52nd Brenda S. Dietrich
 53rd Jim Gartner
 54th Ken Corbet
 55th Annie Kuether
 56th Virgil Weigel
 57th John Alcala
 58th Vic Miller
 59th Blaine Finch
 60th Mark Schreiber
 61st Francis Awerkamp
 62nd Randy Garber
 63rd John R. Eplee
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 65th Lonnie G. Clark
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 67th Tom Phillips
 68th Dave Baker
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 77th Kristey S. Williams
 78th Ron Ryckman
 79th Ed Trimmer
 80th Anita Judd-Jenkins
 81st Blake Carpenter
 82nd Pete DeGraaf
 83rd Henry Helgerson
 84th Gail Finney
 85th Chuck Weber

District

86th Jim Ward
 87th Roger A. Elliott
 88th Elizabeth Bishop
 89th KC Ohaebosim
 90th Steve Huebert
 91st Greg Lakin
 92nd John Carmichael
 93rd John Whitmer
 94th Leo Delperdang
 95th Tom Sawyer
 96th Brandon Whipple
 97th Leslie G. Osterman
 98th Steven G. Crum
 99th Susan Humphries
 100th Daniel Hawkins
 101st Joe Seiwert
 102nd Patsy Terrell
 103rd Ponka-We Victors
 104th Steven R. Becker
 105th Brenda Landwehr
 106th Clay Aurand
 107th Susan L. Concannon
 108th Steven Johnson
 109th Troy L. Waymaster
 110th Ken Rahjes
 111th Eber Phelps
 112th Tory M. Arnberger
 113th Greg Lewis
 114th Jack Thimesch
 115th Boyd Orr
 116th Kyle D. Hoffman
 117th Leonard A. Mastroni
 118th Don Hineman
 119th Bradley Ralph
 120th Adam Smith
 121st S. Mike Kiegerl
 122nd J. Russell "Russ" Jennings
 123rd John P. Wheeler Jr.
 124th J. Stephen Alford
 125th Shannon Francis

Nominations being in order for speaker, Rep. Concannon nominated Rep. Ron Ryckman for Speaker of the House. There being no further nominations, Rep. Ward moved the nominations be closed, and that the temporary clerk be instructed to cast a

unanimous ballot for Rep. Ryckman as Speaker of the House of Representatives. The motion prevailed.

Assistant Secretary of State Eric Rucker requested Rep. Ryckman to approach the bar for the oath of office.

Speaker-elect Ryckman subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 9th day of January, 2017.

LAWTON R. NUSS
Chief Justice of the Supreme Court

Speaker Ryckman addressed the following remarks to the members of the House:

Thank you, Mr. Chief Justice. And I express my strongest gratitude and appreciation to you, my friends, colleagues and fellow representatives of the people's House.

In Kansas, we are blessed to serve a state with interests as diverse as our landscape. We are blessed to come from different backgrounds. And, we are blessed with our own unique perspectives. While those blessings bring immeasurable value to our state, they also mean our priorities can conflict. Our constituents expect assurance that their local identity will be secured.

I am a product of Kansas public schools. I grew up in Meade, Kansas, a district my father represented in this body until he retired last year. As a Representative of District 78 in Olathe, I'm proud that my kids are also a product of Kansas Public Schools. Each of us here today bring a perspective from a wide variety of communities who take pride in Kansas. As Kansas City and Wichita face a wide range of urban issues, our friends in Sabetha and Weskan grapple with issues unique to their geography.

We all accept that these issues are not mutually exclusively and must be balanced with the greater good of the State of Kansas. Our State was founded in the diversity of its citizens and communities. Our task is to carry-on the tradition of good, small government that empowers the people and lays the path for our next generations.

Every single person who ran to serve in 2017 knew that the state was facing serious challenges and that the legislature hasn't enjoyed public admiration or support. But we ran anyway. We each face the daunting responsibility of representing those in our districts who have entrusted us, yet we all face the duty of governing in our great state's best interest.

Each of you sacrifice time at home with family and friends, yet you are serving in Topeka now for the sake of those same interests. It's because I want the best for my kids—Haley, Christian and Chase—that I give up a piece of each day to improve their tomorrow, and I know that each of you do too. We all want what is best for our families and I encourage each of you to strive for balance in this process and remember what is most important to you. I wouldn't have the opportunity to serve our state without the daily sacrifices of my wife, Kim, and my family. For that I am truly humbled and

grateful. The families and issues that drive us to Topeka are different, but our goals are the same. We know we must do better.

I say this to each of you. Your thoughts and ideas matter. You are the voices of Kansas. You are the voice of the men and women who make this state home. Each of you has the responsibility to ensure that voice is shared. Together we, in this chamber, have the obligation to make sure we hear all those voices. We will listen, we will seek to understand, and together we will arrive at the best possible outcomes for our districts and state.

I believe our priorities and goals can be met this session, but only if we check our personal political agendas and work towards the collective goal of supporting the best outcome possible for our beloved state. If you want to see change for your communities and our state, then come to work with an open mind and list of fresh ideas, not non-negotiables. We won't be able to do it overnight or on our own. We won't implement each of our ideological views. But, we will still be heard. We will each bring something to the final product that contributed to our shared goal of representing the multitudes who sent us here on their behalf. We can and will do that together. We will leave this session knowing that our voices were heard. We will leave this session knowing we did our best to do what was right for Kansas. For, only together can we truly tackle key issues like our state's finances, how we ultimately fund our schools, and grow our economy to create jobs and opportunities for all Kansans. It means making Kansas a stronger home for those people who sent us here; to be their voices in their government.

Although the diverse interests and perspectives we represent may create healthy division at times, we are united for the common good of Kansas. I am honored to serve with you. Thank you and God Bless.

Speaker Ryckman was presented with the gavel by Assistant Secretary of State Eric Rucker and assumed the chair.

Speaker Ryckman announced the appointment of Susan Kannarr as Chief Clerk; Foster Chisholm as Sergeant-at-Arms and Eunice Brubaker as House Chaplain of the House of Representatives.

Nominations being in order for Speaker pro tem, Rep. Concannon nominated Rep. Scott Schwab for Speaker pro tem of the House. There being no further nominations, Rep. Frownfelter moved the nominations be closed, and that the clerk be instructed to cast a unanimous ballot for Rep. Schwab as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker Ryckman requested Rep. Schwab to approach the bar for the oath of office.

Speaker pro tem-elect Schwab subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 9th day of January, 2017.

LAWTON R. NUSS

Chief Justice of the Supreme Court

Speaker pro tem Schwab addressed the following remarks to the members of the House:

Colleagues,

First I want to thank you for the honor to serve as your Speaker Pro Tem for the next 2 years. While it seems my commitment to the rules has helped get me here, I hope it is my commitment to integrity that keeps your belief in me.

I was first sworn in as a House member in 2003. 14 years ago. I was eager, I was excited. I had ideas. I also had a wonderful trait called arrogance. That trait gave me so much. It gave me heart ache, pain, frustration, irritation and demise. And an “oops I ran for Congress”.

When I returned here after that episode, I ran head on into a trait of humility. I was humbled that I was back. I was humbled my colleagues still respected me. I was humbled because people would actually listen to me. I was humble.

Politics is often called a game....and they that are the most humble win.

Once again, I am humbled to service in this role of leadership.

To the folks who haven't been here as long as I have, I may have some small advice for you.

1) Be humble the first time in the House. Might save you from having to experience the second time in the House.

2) You are free to make a good decision. When someone tries to take that freedom from you, call them on it. Ask, “Am I free to make a good decision here?”

3) Perspective. I have learned most recently. Saturday marked the 5th month since we have last seen our precious Caleb. A hyper focus of perspective has taken over our lives. I look at how proud I am of my other 3 boys, Nathan, Alexander, and Isaac. My wife who has such a courageous heart and a depth that makes the oceans seem so very shallow.

I don't want to dwell here the whole session. But I am just going to be real, this is where we are at. When people fail to understand you, appreciate what you have done or are doing. They misunderstand you or just don't vote the way you wanted. When your bill dies or your amendment fails, can I offer you some perspective?

Let it go. Life isn't worth wasting too much emotional energy on such things. I just want you to know it could be worse, and it will get better. At least that is what I believe.

So, in closing, we are in this together, until someone chooses not to be. So please, be humble, be free, and remember whatever happens.....do your best to have sober perspective.

Speaker Ryckman asked for announcements from party caucuses:

Rep. Concannon stated the majority (Republican) party had met and elected the following:

- Majority Leader, Representative Don Hineman
- Assistant Majority Leader, Representative Tom Phillips
- Majority Whip, Representative Kent Thompson
- Caucus Chairperson, Representative Susan Concannon

Rep. Hineman addressed the following remarks to the members of the House:

Thank you, Speaker Ryckman, Speaker Pro Tem Schwab, and esteemed colleagues for this opportunity to address you. Let me begin by recognizing my lovely wife Betsy, for always being there and being supportive during my legislative career. Thank you, Betsy for the sacrifices you make and the love you give.

Next I wish to introduce my legislative staff: Chief of Staff Michael Steiner, Legislative Director Mitch Rucker, and Executive Assistant Diane Threadgold. Although the plate on the office door says they are my staff, in reality they work for you, so I encourage you to put them to work and regard them as a resource throughout the session.

To the forty-six newly-elected among us I offer a warm welcome. I know that each of you brings significant life experiences and unique abilities with you, and we intend to put those gifts to use for the good of all Kansans. Interestingly, among the forty-six newcomers there are five who are not truly freshmen because they have served in the House in the past and are now returning. To those five I must ask, "You, more than the others, understand the magnitude of the challenges facing this body and the state of Kansas and yet you chose to run for office again anyway. What were you thinking?"

Actually I believe I know what they were thinking. Those five were motivated to file and run for office by the same impulse that led each member of this body to make that run. We were driven by a desire to serve and a belief in our own abilities to contribute towards finding the best possible solutions for the state of Kansas and its citizens.

That willingness to serve at this moment in time sets us apart from others and binds us together in our quest for common goals. During my eight-year tenure I have reached an important conclusion which now shapes my perspective and guides my actions. I am convinced that every one of the individuals I have served with has been motivated by a genuine desire to create a better Kansas. On occasion we will vigorously disagree over the path to that goal and even what the vision of a better Kansas should look like. But let us not lose sight of the fact that our differences are vastly overshadowed by those beliefs and values which we all hold in common.

Serving as leader of the majority party represents a solemn obligation to serve the members of the caucus. I accept that role with the utmost respect for all caucus members and a determination to perform the duties of the office to the best of my ability. And yet I recognize that there is something greater than service to party and that is service to the citizens of Kansas. We best achieve that goal by a process which fully includes all 125 members of this body and utilizes their experiences and abilities in the crafting of optimal legislative solutions.

There are skeptics who predict we will fail. There are others who are hoping we will fail. But I am convinced that it need not be so, and I invite you to join me with a determination to prove them wrong, to exceed the expectations of the doubters, and to make progress toward a better Kansas for all who live within its borders. If we work together I know we will succeed.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers:

- Minority Leader, Representative Jim Ward
- Assistant Minority Leader, Representative Stan Frownfelter
- Minority Whip, Representative Ed Trimmer
- Agenda Chairperson, Representative Brandon Whipple
- Caucus Chairperson, Representative Barbara Ballard
- Policy Chairperson, Representative Adam Lusker

Rep. Ward addressed the following remarks to the members of the House:

Thank you, Mr. Speaker.

I want to first thank the people of southeast Wichita in the 86th District for the privilege and honor of being their representative. This is my 15th year to serve in the Kansas House of Representatives - the people's house - and I still get a thrill coming into this building every day.

I am humbled by the opportunity to serve alongside each of you and to participate in the debates on this floor that shape the direction of our state and determine the kind of future Kansans deserve.

During my tenure in public service I have worked with hundreds of people, many of whom I've agreed with, but countless others with whom I've shared passionate differences of opinion. Yet even in those contrasts, there was, and always will be, one common factor: **a desire to build a better Kansas.**

Each of us have been called here because we want to make Kansas the best place to raise a family, grow a business, and live out the American dream. On these goals, we do not disagree. That is the challenge and that is the opportunity we face over the coming weeks – ensuring we work together, acknowledging all voices, and enacting sensible policies that foster prosperity and progress for Kansans of every age, color and creed.

To the members of the House Democratic caucus whom I have the privilege of working alongside every day: Thank you. You are a group of thoughtful, determined, courageous and dedicated leaders. It's an honor to lead such a talented caucus knowing each of you is mindful of the importance of the task ahead.

To you, Speaker Ryckman - Congratulations on achieving the high honor of Speaker of this distinguished body. The past month has allowed us to develop a good working relationship and I anticipate building on this as we begin our difficult task.

Congratulations to each of the new members of the House. You are embarking on a grand adventure that will challenge, inspire, and at times overwhelm, but never doubt the relevance of your voice in this body. Yes, you're new to the legislature, but you bring with you a lifetime of experiences and insight that will be necessary as we carry out our work here. Don't be afraid to speak out.

But most importantly, remember - we are all blessed with this chance to serve and in doing so, we're called by Kansans to serve with respect for one another – even in disagreements. The men and women who aren't here today and who aren't involved in the political process, expect us to work together to solve our state's problems. They are

not concerned with party labels or future elections, and neither should we.

Today, as we begin our work Kansas is in a state of crisis. Our financial future is in peril, our school system is in constant litigation, our elderly and our most vulnerable constituents are waiting in line for basic life sustaining services. The task before us is difficult and many are losing faith. We have a state to restore to prosperity and it will take the dedication of each and every one of us in this body to get it done.

I am convinced we can and will meet the challenges before us. We are the sons and daughters of a people who forged a state out of a bloody civil war, survived the great depression and fought world wars against oppression. Kansans have never failed to answer the call.

I'm honored to stand before you as one of the leaders in this quest.
God Bless you and God Bless the people of Kansas.

The roll was called with 124 members present.
Representative-elect Helgerson was excused on verified illness.

COMMUNICATIONS FROM STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2016 Regular Session of the Legislature:

From Derek Schmidt, Attorney General, the annual report of the Consumer Protection & Antitrust Division.

From Nadira Patrick, Manager, Major Projects and Comprehensive Training, Kansas Department of Commerce, Investment in Major Projects and Comprehensive Training (IMPACT) Annual Report.

From Nadira Patrick, Manager, Kansas Economic Opportunity Initiative, Kansas Department of Commerce, Kansas Economic Opportunity Annual Report.

From Alan D. Conroy, Executive Director, Kansas Public Employees Retirement System, the required annual report regarding KPERs Investments in Sudan.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 22a-243. The 2016 annual report of the Kansas State Child Death Review Board.

From Dennis Mesa, Executive Director, Kansas Housing Resources Corporation, the financial statement for the fiscal year ended June 30, 2016, which is available at: <http://www.kshousingcorp.org/financial-statements.aspx>.

From Molly McGovern, Administrator, Kansas and Missouri Metropolitan Culture District Commission, the 2014-2015 Comprehensive Annual Financial Report.

From Tim Shallenburger, President, Kansas Development Finance Authority, the annual financial report for fiscal years 2015 and 2016, also available at www.kdfa.org.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-7c16(b), the statistical report indicating the number of concealed carry licenses issued, revoked, suspended and denied during the preceding fiscal year.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-723, the fiscal year 2016 annual report of the Abuse, Neglect and Exploitation Unit.

From Bob Page, President and Chief Executive Officer, The University of Kansas

Hospital, in accordance with K.S.A.1 76-3312(p), the Annual Report.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, the Comprehensive Annual Financial Report for fiscal year 2016 is available at <http://www.kpers.org/annualreport2016.pdf>.

From Scott W. Miller, Director of Investments, Kansas Pooled Money Investment Board, the Annual Report for Fiscal Year 2016.

From the Office of Governor Sam Brownback:

A Proclamation calling the legislature into Special Session to address school finance.

Executive Directive No. 16-471, Authorizing Personnel Transactions and Expenditure of Federal Funds.

Executive Directive No. 16-472, Authorizing Personnel Transactions and Expenditure of Federal Funds.

Executive Directive No. 16-473, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-474, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-475, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-476, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-477, Authorizing Expenditure of Federal Funds.

Executive Order No. 16-02, rescinding Executive Order 15-04, dated June 30, 2015.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

INTRODUCTION OF ORIGINAL MOTIONS AND RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6001**, by Reps. Ryckman, Hineman and Ward, as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6001**—

A RESOLUTION relating to the organization of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ron Ryckman, speaker,
 Scott Schwab, speaker pro tem,
 Don Hineman, majority leader,
 Jim Ward, minority leader,
 Susan Kannarr, chief clerk,
 Foster Chisholm, sergeant at arms,
 and awaits the pleasure of the Senate.

On emergency motion of Rep. Hineman, **HR 6002**, by Reps. Ryckman, Hineman and Ward, as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6002**—

A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alcalá 53, Alford 117, Arnberger 42, Aurand 43, Awerkamp 79, Baker 84, Ballard 30, Barker 10, Becker 124, Bishop 57, Blex 66, Brim 100, Burroughs 74, Campbell 37, Carlin 31, Carmichael 56, Carpenter 87, Claesys 91, Clark 64, Clayton 105, Concannon 102, Corbet 125, Cox 92, Crum 72, Curtis 16, Davis 23, Deere 75, DeGraaf 39, Delperdang 20, Dierks 90, Dietrich 107, Dove 62, Elliott 114, Ellis 122, Eplee 61, Esau 83, Finch 8, Finney 52, Francis 119, Frownfelter 5, Gallagher 65, Garber 89, Gartner 50, Good 88, Hawkins 21, Helgerson 54, Henderson 55, Hibbard 112, Highberger 36, Highland 12, Hodge 33, Hoffman 113, Holscher 70, Houser 45, Huebert 118, Humphries 26, Jacobs 101, Jennings 47, Johnson 9, Jones 109, Judd-Jenkins 103, Karleskint 38, Kelly 60, Kessinger 22, Kiegerl 97, Kleeb 93, Koesten 106, Kuether 48, Lakin 40, Landwehr 77, Lewis 104, Lusk 29, Lusker 15, Markley 24, Mason 86, Mastroni 46, Miller 76, Murnan 95, Neighbor 51, Ohaebosim 58, Orr 85, Osterman 81, Ousley 35, Parker 69, Patton 82, Phelps 49, Phillips 111, Pittman 68, Powell 41, Proehl 59, Rahjes 80, Ralph 116, Rooker 78, Ruiz 18, Sawyer 14, Schreiber 44, Schroeder 121, Seiwert 115, Sloan 120, Smith, A. 11, Smith, E. 108, Stogsdill 73, Sutton 94, Swanson 110, Tarwater 98, Terrell 71, Thimesch 99, Thompson 19, Trimmer 13, Vickrey 123, Victors 17, Waymaster 7, Weber 27, Weigel 96, Wheeler 67, Whipple 32, Whitmer 63, Williams 25, Wilson 34, Winn 28, Wolfe Moore 6. Abraham Rafie will be assigned to seat No. 93 after being sworn in as the appointed replacement for district 48 being vacated by Representative Kleeb.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

On emergency motion of Rep. Hineman, **HR 6003**, by Representative Ryckman as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6003**—

A RESOLUTION relation to the rules of the House of Representatives for the 2017-2018 biennium.

Be it resolved by the House of Representatives of the State of Kansas: That except as otherwise hereinafter provided, the rules of the House of Representatives for the 2015-2016 biennium in effect at the time of adjournment sine die of the 2016 regular session of the legislature shall constitute the temporary rules of the House of Representatives for the 2017 regular session until permanent rules are adopted.

Be it further resolved: That Rule 1101 of the 2015-2016 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

Rule 1101. Standing Committees; Names and Members.

(a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Agriculture and Natural Resources.....	23
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development	17
6. Corrections and Juvenile Justice	13
7. Education	19 17
8. Elections.....	13
9. Energy and Environment, Utilities and Telecommunications.....	19 17
10. Federal and State Affairs.....	23
11. Financial Institutions and Pensions.....	13 17
12. Government, Technology and Security.....	13
13. Health and Human Services.....	17
13-14. Insurance	13 17
14-15. Interstate Cooperation	7
15-16. Judiciary.....	23
16-17. Local Government.....	13
17. Pensions and Benefits.....	13
18. Rules and Journal	7
19. Taxation	23
20. Transportation.....	17
21. Utilities and Telecommunications.....	19
22. Veterans, and Military and Homeland Security.....	13
23. Vision 2020.....	13
22. Water and Environment.....	17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the

successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. *The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285, and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory or other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012, K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents, except for references in the following Kansas statutes; K.S.A. 74-2012, K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory document: K.S.A. 65-3407c.*

Be it further resolved: That Rule 1105 of the 2015-2016 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

Rule 1105. Budget Committees.

(a) There is hereby created the following budget committees of the committee on appropriations which shall have the number of members indicated for each:

- 1. Agriculture and natural resources budget committee 9
- 2. ~~Education budget committee..... 9~~
- 3. General government budget committee 9
- 3. *Higher education budget..... 9*
- 4. *K-12 education budget..... 17*
- 4.5. Legislative budget committee..... 8
- 5-6. Social services budget committee 9
- 6-7. Transportation and public safety budget committee..... 9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the

committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6004**—

By Representative Ryckman

A RESOLUTION adopting permanent rules of the House of Representatives for the 2017-2018 biennium.

Be it resolved by the House of Representatives of the State of Kansas: The following rules shall be the permanent rules of the House of Representatives for the 2017-2018 biennium.

RULES OF THE HOUSE OF REPRESENTATIVES

2017-2018

ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

Rule 101. Time of Meeting. The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

Rule 102. Speaker Taking Chair. The Speaker shall take the chair each day, at the hour to which the House has adjourned. The Speaker shall call the House to order and proceed to business in accordance with the Rules of the House.

Rule 103. First Business. The first business each legislative day shall be the taking of the roll, the taking of roll shall be followed by prayer and the prayer shall be followed by the recitation of the pledge of allegiance to the flag of the United States of America led by a member designated by the Speaker.

Rule 104. Order of Business. (a) The regular order of business each legislative day, except on days and at times set apart for the consideration of special orders and except as provided by the joint rules of the House and Senate, shall be as follows:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.

- (7) Consideration of motions and house resolutions offered on a previous day.
- (8) The unfinished business before the House at the time of adjournment on the previous day.
- (9) Consent calendar.
- (10) Final Action on bills and concurrent resolutions.
- (11) Bills under consideration to concur and nonconcur.
- (12) General Orders.
- (13) Reports of standing committees.
- (b) The presentation of petitions shall be a special order of business on Friday of each week immediately preceding the regular order of business.

Rule 105. Members Excused from Attendance. Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

Rule 106. Introduction of Guests. Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

Rule 107. Session Proforma. (a) The House of Representatives may meet from time to time for the sole purpose of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Receipts of messages from the Governor.
- (3) Communications from State Officers.
- (4) Messages from the Senate.
- (5) Reports of Standing Committees.
- (6) Presentation of Petitions.
- (d) Motions. No motion shall be in order other than the motion to adjourn.
- (e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 11:00 a.m.
- (f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.
- (g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions. Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson,

or vice chairperson, may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment shall be debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

ARTICLE 3. QUORUM

Rule 301. Quorum, What Constitutes. A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

Rule 302. Absence of Quorum. In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

Rule 303. Roll Call to Determine Quorum. A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

Rule 501. Admission to Floor. (a) During daily sessions, from the time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such

person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

Rule 502. Food and Drink. Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

Rule 503. Galleries. Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

Rule 504. Placing Material on Member's Desk. No items or material shall be placed upon the desk of any member of the House unless any such item or material bears the signature and printed name of the member responsible for its distribution. This Rule 504 shall not apply to items or material provided by legislative staff.

Rule 505. Photographic Record of Vote. No photographic or similar record shall be made of the vote of any member upon any measure upon which a division of the assembly has been called.

Rule 506. Wireless Electronic Telecommunications Devices. Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

Rule 507. Computer Usage. Computers may be used on the floor of the House chamber only for legislative or personal business during any time the House is in session.

ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

Rule 701. Introduction of House Bills and Resolutions. Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

Rule 702. Introduction of Senate Bills and Concurrent Resolutions. Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

Rule 703. Reading of Bills and Resolutions for Introduction. For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both

names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

Rule 704. Senate Bills and Concurrent Resolutions; Procedure Following Introduction. Following introduction, all Senate bills and Senate concurrent resolutions when in the House shall follow the same procedure as House bills and House concurrent resolutions.

ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

Rule 901. Reference, Generally. (a) On the day of introduction or the following legislative day, the Speaker shall refer each bill to:

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

(1) In any way that a bill may be referred under subsection (a), if the concurrent resolution is a proposition to amend the Constitution of Kansas, to call a constitutional convention to amend or revise the Constitution of Kansas, to ratify an amendment to the Constitution of the United States, to apply for a United States constitutional convention, or to amend the joint rules of the House and Senate;

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection (b), it may be referred in any way that a bill may be referred under subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

(d) Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, for the regular session of the legislature held in even-numbered years may be referred by the Speaker to the appropriate committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the chief clerk of the House.

Rule 902. Appropriation Bills. Bills containing more than one item of appropriation shall be referred to the standing committee on appropriations, except that bills introduced by the committee on appropriations may be referred to the committee of the whole House.

Rule 903. Separately Referred Bills and Resolutions. (a) When a bill or resolution has been referred separately to two or more standing committees, each committee shall consider the bill or resolution separately in the order specified by the Speaker.

(b) If the first committee to which a bill or resolution has been separately referred reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

(c) When a bill has been referred separately and the report of the first committee was not adverse, the report of the second committee shall be the report considered by

the committee of the whole House.

Rule 904. Jointly Referred Bills and Resolutions. When a bill or resolution is jointly referred, it shall be considered and acted upon at a joint meeting of the two committees. The chairperson of the first committee named in the joint referral shall be the chairperson of the joint committee when considering such bill or resolution.

ARTICLE 11. COMMITTEES; COMPOSITION

Rule 1101. Standing Committees; Names and Members. (a) The standing committees of the House shall be the following and have the number of members indicated for each:

- 1. Agriculture..... 23
- 2. Appropriations..... 23
- 3. Children and Seniors..... 13
- 4. Calendar and Printing..... 6
- 5. Commerce, Labor and Economic Development 17
- 6. Corrections and Juvenile Justice 13
- 7. Education 17
- 8. Elections..... 13
- 9. Energy, Utilities and Telecommunications..... 17
- 10. Federal and State Affairs..... 23
- 11. Financial Institutions and Pensions 17
- 12. Government, Technology and Security..... 13
- 13. Health and Human Services..... 17
- 14. Insurance 17
- 15. Interstate Cooperation 7
- 16. Judiciary..... 23
- 17. Local Government..... 13
- 18. Rules and Journal 7
- 19. Taxation 23
- 20. Transportation..... 17
- 21. Veterans and Military..... 13
- 22. Water and Environment..... 17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic

development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c.

Rule 1102. Committee Appointments. (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The Speaker shall appoint the chairperson and vice chairperson of each standing committee. The Speaker may remove or replace any such chairperson or vice chairperson at any time.

Rule 1103. Select Committees. The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

Rule 1104. Announce Appointments. All committee appointments shall be announced in open session.

Rule 1105. Budget Committees. (a) There is hereby created the following budget committees of the committee on appropriations which shall have the number of members indicated for each:

1. Agriculture and natural resources budget committee 9
2. General government budget committee 9
3. Higher education budget committee.....9
4. K-12 education budget committee.....17
5. Legislative budget committee..... 8

- 6. Social services budget committee 9
- 7. Transportation and public safety budget committee..... 9
- (b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

ARTICLE 13. COMMITTEES; PROCEDURE

Rule 1301. Committee Meetings; Time and Place. (a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

(b) Also, when the Legislature is in session, a standing committee shall meet upon written request of three members of the committee. Such a request shall be submitted to the Speaker and the chairperson at least one legislative day before the requested time of meeting. The time and place of a meeting under this subsection (b) shall be set by the chairperson with the approval of the Speaker.

Rule 1302. Notice and Agenda for Committee Meetings. The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

Rule 1303. Duties of Committee Chairperson. The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings which shall include:
 - (1) The time and place of each meeting of the committee;
 - (2) the attendance of committee members; and
 - (3) the names and city and state of residence of persons appearing before the committee and whom each represents;
- (e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;
- (f) to appoint subcommittees to perform duties on an informal basis; and
- (g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

Rule 1304. Introduction of Committee Bills and Resolutions. A committee may introduce bills and resolutions while the Legislature is in session respecting any matters referred to it. Unless approved by the Speaker, a standing committee may introduce bills and resolutions only within the general subject area assigned to the committee. No

standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

Rule 1305. Quorum of a Committee. A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

Rule 1306. Voting in Committees. (a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(c) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

Rule 1307. Procedure in General. Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

Rule 1308. Committee Action on Bills and Resolutions. (a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee. (a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General

Orders.

(b) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

(c) The provisions of subsections (a) and (b) of this rule shall not apply to resolutions adopting or amending rules of the House. Resolutions relating to the adoption or the amendment of rules of the House may be withdrawn from the Committee on Rules and Journal at any time by the affirmative vote of 63 members of the House.

Rule 1310. Wireless Electronic Telecommunications Devices. Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

Rule 1501. General Orders; Description and Function. Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

Rule 1502. Posting of Sequence for Succeeding Day. When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

Rule 1503. Change in the Sequence on General Orders. (a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members.

(b) Also, the order of a bill or resolution on General Orders may be changed by vote of a majority of all members then elected (or appointed) and qualified of the House on a motion made as provided in this subsection (b). Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following

such failure.

(c) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(d) This Rule 1503 does not apply to the addition or removal of a bill or resolution from General Orders.

Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location. Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders. (a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words "Adversely Reported" shall be printed in a line below the title of the bill when it is listed on General Orders.

Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate. When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

Rule 1507. Disposition of Bills Subject to Certain Deadlines. Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

Rule 1701. Requesting the Floor. Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

Rule 1702. Order During Speaking. While a member is speaking to the House, no other member shall engage in private conversation or pass between the member

speaking and the chair.

Rule 1703. When Question is Put. While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

Rule 1704. Violation of Rules While Speaking. (a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall not be affected by any order for the previous question or that debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

Rule 1705. Point of Personal Privilege. Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received statewide or national award or statewide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

ARTICLE 19. COMMITTEE OF THE WHOLE

Rule 1901. Motion to go into Committee of the Whole House. When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

Rule 1902. Committee of the Whole; Normal Procedure. Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended, the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. After a section has been once considered, no amendment thereto shall be in order until the whole bill shall have been considered section by section. After the original bill, together with standing committee amendments if any, has been considered section by section,

the chairperson shall announce, "Amendments to the bill generally are in order," and amendments not before offered may be made to any part of the bill. A motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole. When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole. When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole. (a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

Rule 1906. Requesting the Floor. Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

Rule 1907. Rules Applicable. The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

Rule 1908. Rise and Report. A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

Rule 1909. Effect of Recommendation of Committee of the Whole. Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with

the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

Rule 1910. Report of Committee of the Whole. When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

Rule 2101. Germaneness. Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

Rule 2102. Form of Amendment Motions. Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

Rule 2103. Reading Amendments; General Rule. Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

Rule 2104. Motions to Amend Motions. A motion to amend a motion to amend a bill or resolution shall not be in order.

Rule 2105. Dividing Amendments. (a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend;

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(b) Upon a request to divide a motion to amend a bill or resolution, the presiding officer shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the

presiding officer shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The presiding officer, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (4), inclusive, of subsection (a). The ruling of the chairperson of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson, or vice chairperson, on the grounds that the division is not in accordance with a rule of the House including the provisions of items (1), (2), (3) or (4) of subsection (a), or any combination thereof.

Rule 2106. Substitute Motions. No substitute motion to amend a bill or resolution shall be in order.

Rule 2107. Subject Change by Senate. (a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

Rule 2108. Motions to Strike Out and Insert. The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule 2109. Identical Motions. Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

Rule 2110. Floor Amendments to Bills Making Appropriations. (a) Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

ARTICLE 23. PROCEDURAL MOTIONS

Rule 2301. Order of Motions. When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

(a) For adjournment of the House.

- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

Rule 2302. Motion to Adjourn. The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

Rule 2303. Motion to Reconsider. A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

Rule 2304. Previous Question. The "previous question" shall be: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the members present shall order the previous question.

Rule 2305. Motions Not Subject to Debate. All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole. When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole. When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 2308. Stating Question. Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

Rule 2309. Dividing Motion. If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

Rule 2310. When Motions to be in Writing. Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

Rule 2311. Suspension of Rules of the House. (a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of 2/3 of the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

Rule 2312. Mason's Manual; When Applicable. (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (2010 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take

precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

ARTICLE 25. VOTING

Rule 2501. Control and Use of Voting System. The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

Rule 2502. Procedure for Taking a Roll Call Vote. When a roll call vote is taken, the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall announce the vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

Rule 2503. Display of Recurring Totals. Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

Rule 2504. Voting by Members. (a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

Rule 2505. Explaining Vote. Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such

member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

Rule 2506. Copies of Voting Records. (a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

Rule 2507. When Roll Call Vote to be Taken. (a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (e) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

Rule 2508. Call of the House. (a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless excused by the Speaker. All members present during the call shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort, as determined by the Speaker, has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a 2/3

majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

Rule 2509. Voice Vote; Division of the Assembly. Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

ARTICLE 27. FINAL ACTION

Rule 2701. Description and Function. Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each thereof.

Rule 2702. Reading and Vote. Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

Rule 2703. Amendment and Debate, When. Upon motion as provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

Rule 2704. Speaker to Preside. Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

Rule 2705. Consent Calendar. Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

Rule 2706. Majority for Bill Passage. As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions. (a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the

Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

Rule 2708. Motion to Adopt Report of Conference Committee. The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

ARTICLE 29. RESOLUTIONS

Rule 2901. Resolving Clause; Form. (a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas."

Rule 2902. House Resolutions; Introduction and Consideration. (a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) House resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

Rule 2903. Resolutions; Limitations. (a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House. Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent

resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The Speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

ARTICLE 33. MEMBER OFFICERS

Rule 3301. Elected Member Officers. The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

Rule 3302. Duties of the Speaker. In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

- (a) To preserve order and decorum;
- (b) to decide all questions of order, subject to appeal to the House;
- (c) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

- (d) to name a chairperson to preside when the House is in Committee of the Whole.

Rule 3303. Speaker Pro Tem. In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

Rule 3304. Filling Certain Vacancies. (a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer.

Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

ARTICLE 35. NONMEMBER OFFICERS

Rule 3501. Chief Clerk; Appointment. The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

Rule 3502. Duties of the Chief Clerk. The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

Rule 3503. Other Clerks. The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

Rule 3504. Document Care. No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

Rule 3505. Sergeant at Arms; Appointment. The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

Rule 3506. Duties of the Sergeant at Arms. The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

Rule 3507. Assistant Sergeants at Arms. The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

Rule 3701. Adopting, Amending or Revoking Rules of the House. No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

Rule 3702. Resolutions for Rule Changes. (a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such committee except by the unanimous vote of all members of such committee.

Rule 3703. Printing. Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

Rule 3704. Adoption of Resolutions. Resolutions to which this Article 37 apply shall be subject to Rule 2902.

Rule 3705. Special Sponsorship of Rule Change Resolutions. Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

Rule 3901. Bills Amending Existing Statutes. Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

Rule 3902. Bills, Copies. Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing shall be ordered subsequent to introduction.

Rule 3903. Showing Committee Amendments. All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

Rule 3904. Substitute Bills and Substitute Concurrent Resolutions. (a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. _____," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced,

and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent resolutions, "Substitute for House Concurrent Resolution No. ____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. ____," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

Rule 3905. Appropriation Bills. All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by email, at least 24 hours before such bills are considered by the House.

Rule 3906. Committee of the Whole Amendments. If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

Rule 3907. Concurrent Resolutions, When Printed. (a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

Rule 3908. Embellished Printing of Certain Resolutions. Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

Rule 3909. House Resolutions. Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

ARTICLE 41. JOURNAL AND CALENDAR

Rule 4101. Journal; Preparation. The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

Rule 4102. Entering in Journal. When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

Rule 4103. Resolutions in Journal. All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

Rule 4104. Messages from the Governor in Journal. All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

Rule 4105. Calendar; Preparation. The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

Rule 4106. Status of Bills and Resolutions Shown in Calendar. The status of all

House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

Rule 4107. Copies of Journals and Calendars. Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

ARTICLE 43. MISCELLANEOUS

Rule 4301. Employees; Employment. Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

Rule 4302. Special Order. Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

Rule 4303. Petitions; Presentation. Petitions and memorials addressed to the House shall be presented by a member.

Rule 4304. Petitions; Endorse Name. Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

Rule 4305. Open Meetings. The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

Rule 4501. Referral of Executive Reorganization Orders. Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

Rule 4502. Committee Report on Executive Reorganization Orders. If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15 calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

Rule 4503. Return in Event of Committee's Failure to Report. If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

Rule 4504. Special Order of Business for ERO. When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

Rule 4505. Nonapplication to Bills. This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

Rule 4506. Nonaction When Moot. The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

ARTICLE 47. IMPEACHMENT

Rule 4701. Impeachment; Powers. Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

Rule 4702. Same; Select Committee. The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

Rule 4703. Same; Reference. The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

Rule 4704. Same; Report. Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

Rule 4705. Same; Call into Session. The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

Rule 4706. Same; Procedure. The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

Rule 4901. Complaint. When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

Rule 4902. Select Committee; Consideration of Complaint. (a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee

of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of the Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

Rule 4903. Action by House. Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a 2/3 majority vote of those members elected (or appointed) and qualified of the House of Representatives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5001**, by Reps. Ryckman, Hineman and Ward, was introduced and adopted.

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives meet in joint session in Representative Hall at 4:30 p.m. on January 10, 2017, for the purpose of hearing the message of the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5001**, Speaker Ryckman appointed Reps. Thompson, Williams and Helgeson to escort the Governor.

Also, Reps. Highland, Carpenter and Holscher to escort the Lieutenant Governor.

Also, Reps. Finch, Patton and Miller to escort the Supreme Court.

Also, Reps. Swanson, Dove and Alcalá to escort the Senate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

HB 2001, AN ACT concerning the Kansas standard asset seizure and forfeiture act;

relating to reports; amending K.S.A. 2016 Supp. 60-4117 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2002, AN ACT concerning the division of post audit; relating to purposes for which expenditures may be made by the division; exemption, by Committee on Legislative Post Audit Committee.

HB 2003, AN ACT concerning forfeiture; amending the Kansas standard asset seizure and forfeiture act; amending K.S.A. 2016 Supp. 60-4107 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2004, AN ACT concerning the Kansas standard asset seizure and forfeiture act; relating to expenditure of proceeds; amending K.S.A. 2016 Supp. 60-4117 and repealing the existing section, by Committee on Legislative Post Audit Committee.

HB 2005, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; exempting members of the state board of regents retirement plan from certain employment after retirement provisions; amending K.S.A. 2016 Supp. 74-4914 and repealing the existing section; also repealing K.S.A. 2016 Supp. 74-4914f, by None.

HB 2006, AN ACT concerning counties; relating to the expansion of the board of county commissioners; amending K.S.A. 2016 Supp. 19-203 and repealing the existing section, by Representative Clays.

HB 2007, AN ACT concerning the civil air patrol; relating to leave; emergency service operations, by Representative Sloan.

HB 2008, AN ACT concerning school buses; relating to seat belts; requiring installation on new buses, by Representative S. Swanson.

HB 2009, AN ACT concerning firearms; dealing with concealed handguns in the state capitol; amending K.S.A. 2016 Supp. 75-7c21 and repealing the existing section, by Representative Ruiz.

HB 2010, AN ACT regulating traffic; concerning the operation of a motor vehicle; providing penalties for the use of a wireless communication device; amending K.S.A. 2016 Supp. 8-15,111 and repealing the existing section, by Representative Ruiz.

HB 2011, AN ACT concerning campaign finance; relating to campaign contributions; amending K.S.A. 25-4149 and K.S.A. 2016 Supp. 25-4153 and repealing the existing sections, by Representative Esau.

HB 2012, AN ACT concerning elections; dealing with voter registration lists; amending K.S.A. 25-3302 and repealing the existing section, by Representative Esau.

HB 2013, AN ACT concerning elections; dealing with write in candidates; amending K.S.A. 2016 Supp. 25-213 and repealing the existing section, by Representative Esau.

HB 2014, AN ACT concerning elections; relating to voting; penalties for voting crimes; prosecution of election crimes; amending K.S.A. 2016 Supp. 25-1128, 25-2409, 25-2416, 25-2423 and 25-2431 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 25-2434 and 25-2435, by Representative Carmichael.

HB 2015, AN ACT concerning the governmental ethics commission; dealing with certain investigations and procedures; amending K.S.A. 25-4161 and 46-256 and repealing the existing sections, by Representative Esau.

HB 2016, AN ACT concerning people with certain disabilities; relating to vehicle registration, information included therein; state-issued identification cards, information included therein; amending K.S.A. 2016 Supp. 8-243 and 8-1324 and repealing the existing sections, by Representatives Finney, Ballard, Carlin, Curtis, Henderson, Lusk,

Lusker, Miller, Neighbor, Ohaebosim, Pittman, Sawyer, Trimmer, Victors, Whipple, Wilson and Winn. Speaker Ryckman announced the referral of HCR 5002 and HR 6004 to the Committee on Rules and Journal.

HB 2017, AN ACT concerning elections; dealing with vacancies in the office of United States representative to congress; amending K.S.A. 25-3502, 25-3504 and 25-3507 and repealing the existing sections, by Representative Esau.

HB 2018, AN ACT concerning the Kansas standard asset forfeiture act; relating to offenses giving rise to forfeiture; amending K.S.A. 2016 Supp. 60-4104 and repealing the existing section, by Representative Finney.

HB 2019, AN ACT establishing the foster care oversight task force, by Committee on 2016 Special Committee on Foster Care Adequacy.

HB 2020, AN ACT concerning elections; relating to voter registration; allowing voter registration on election days; amending K.S.A. 2016 Supp. 25-2311, 25-2316c and 25-3602 and repealing the existing sections, by Representative Finney.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HCR 5002, by Representative Ryckman, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2017-2018 biennium.

Be it resolved by the House of Representatives of the State of Kansas, the Senate, concurring therein: That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2017-2018 biennium.

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES 2017-2018

Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation. (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of $\frac{2}{3}$ of the members then elected (or appointed) and qualified in each house shall be required for the amendment,

suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president, and (2) either (a) a copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

Joint rule 2. Joint sessions. (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

Joint rule 3. Conference committee procedure. (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the

taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of

conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of $\frac{2}{3}$ of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All

other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

Joint rule 4. Deadlines for introduction and consideration of bills. The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on January 30, 2017, during the 2017 regular session and on January 29, 2018, during the 2018 regular session.

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 8, 2017, during the 2017 regular session and on February 7, 2018, during the 2018 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of

either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 6, 2017, during the 2017 regular session and on February 5, 2018, during the 2018 regular session.

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 10, 2017, during the 2017 regular session and on February 9, 2018, during the 2018 regular session.

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 23, 2017, during the 2017 regular session and on February 22, 2018, during the 2018 regular session.

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 30, 2017, during the 2017 regular session and March 29, 2018, during the 2018 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for

introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 7, 2017, during the 2017 regular session and after April 6, 2018, during the 2018 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

Joint rule 5. Closure of meetings to consider matters relating to security. Any standing committee of the House of Representatives, any standing committee of the Senate, the Legislative Coordinating Council, any joint committee of both houses of the legislature, any special or select committee of the House of Representatives or the Senate, the House of Representatives in session, the Senate in session or a joint session of the House of Representatives and the Senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas.

Joint rule 6. Floor amendments to bills making appropriations. (a) Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

Speaker Ryckman announced the referral of **HCR 5002** and **HR 6004** to Committee on Rules and Journal.

MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701**, a resolution relating to the organization of the 2017 Senate and selection of the following officers:

Susan Wagle, President,
 Jeff Longbine, Vice President,
 Jim Denning, Majority Leader,
 Anthony Hensley, Minority Leader,
 Corey Carnahan, Secretary,
 Charles (Nick) Nicolay, Sergeant-at-Arms,
 and awaits the pleasure of the House of Representatives.

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise him the 2017 session of the Legislature is duly organized and ready to receive communication. Senators Pyle and Holland are appointed as Senate members of the committee to wait upon the Governor.

On motion of Rep. Hineman, **SCR 1601**, was introduced and adopted.

In accordance with **SCR 1601**, Speaker Ryckman appointed Reps. Thompson, Williams and Bishop to wait upon the Governor.

INTRODUCTION OF GUESTS

Speaker Ryckman introduced Dr. Lynn Fisher, the 69th President of the Kansas Academy of Family Physicians.

Dr. Fisher is the owner of LifeLine Family Medicine, PA in Plainville, KS. He practices rural full-spectrum Family Medicine. Dr. Fisher is currently volunteer clinical faculty for the KU School of Medicine for second, third, and fourth year medical students doing rural family medicine rotations and also volunteer clinical faculty for the WSU Physicians Assistant program.

Dr. Fisher is a 2001 graduate of the KU School of Medicine. He completed his residency in Family Medicine at North Colorado Family Medicine in Greeley, Colorado, in 2004. He is board certified and received the degree of Fellow of the AAFP in 2008.

The Academy sponsors the doctor of the day program and provides daily assistance for health concerns of those serving the Statehouse during the session.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Kleeb are spread upon the Journal:

Despite some policy and political differences, the members of the legislature often become much more than just colleagues; over time, they develop into a treasured network of friends. As many of you know, I was married last month on December 23rd and I wanted to take this opportunity to introduce my wonderful bride, Becky, to you, my valued friends.

Three years ago under totally different circumstances I stood before you expressing my appreciation for your support and prayers after I lost Nancy, my wife of twenty-nine years, to pancreatic cancer. Over the past few months, I have come to realize even more how precious life and time are and what a blessing it is to have Becky in my life. So, we have decided to focus on spending more quality time with each other, on this new chapter of our lives, and on our family, friends and the community.

Although it has been my honor to serve in the Kansas House of Representatives for the past eight years, I have decided to retire from the legislature. The opportunity to meet and work with all the wonderful people throughout the State over the years while serving in the legislature has been a true blessing.

It is with gratitude and respect that I recognize the dedication and professionalism of our Research, Revisor and legislative staff. And, to my legislative colleagues, I want to

express my appreciation for your friendship and for your personal sacrifice to serve the State.

May God bless Kansas, each of you, and your legislative work.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, January 10, 2017.

Journal of the House

SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 10, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

OATH OF OFFICE

Representative-elect, Abraham Rafe, of the 48th District and Representative-elect, Henry Helgerson, of the 83rd District, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Deputy Assistant Secretary of State, Bryan A. Caskey, as follows:

State of Kansas, County of Shawnee, ss:

I, do solemnly swear or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Representative of the State of Kansas, so help me God.

BRYAN A. CASKEY
Deputy Assistant Secretary of State
January 10, 2017

The roll was called with 125 members present.

Prayer by guest chaplain, the Rev. Richard Sundermeyer, pastor, Family Life Church of the Nazarene, Topeka:

Let us pray.

On the second day of this current session so much is needing to be done. Agendas, procedures, planning, conferences, committee organizations, appointments...and the list could go on. While this is normal and to be expected in the work we have been called on to perform, we take these few moments to pause for divine wisdom and direction.

Many of us will feel that we have a mandate from our constituents. Others of us will know that our deeply held heart felt beliefs will inform our individual decision

making process. And some of us will even look to party leadership for guidance. While none of these are bad or wrong, we acknowledge that we are in desperate need of wisdom to sort through all of the issues before us.

The New Testament writer, James, wrote these words which we affirm:

“If you are in need of wisdom, ask our generous God, and he will give it to you. He will not rebuke you for asking.” James 1:5 (NLT)

And the Apostle Peter reminded us of the wisdom from King Solomon in the Proverbs:

“In the same way, you who are younger must accept the authority of the elders. And all of you, dress yourselves in humility as you relate to one another, for

‘God opposes the proud but gives grace to the humble.’

So humble yourselves under the mighty power of God, and at the right time he will lift you up in honor.” 1 Peter 5:5-6 (NLT)

We therefore ask you, God...

To bring agreement when great opposition confronts us

To inform us to the most crucial concerns in each issue

To cause us to act so that righteousness undergirds all we say and do

To insure justice always prevails

To protect the innocent, vulnerable, and outcast

To value all human life as made in Your divine image

It is in the name of Jesus the Christ that I pray these things...AMEN.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2021, AN ACT concerning insurance; providing coverage for hearing instruments; amending K.S.A. 2016 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representative Kiegerl.

HB 2022, AN ACT concerning health and healthcare; enacting the Kansas right to try act, by Representative Kiegerl.

HB 2023, AN ACT concerning income taxation; relating to the determination of Kansas adjusted gross income, modifications; amending K.S.A. 2016 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2002**.

Children and Seniors: **HB 2019**.

Elections: **HB 2011, HB 2012, HB 2013, HB 2015, HB 2017, HB 2020**.

Federal and State Affairs: **HB 2009**.
 Financial Institutions and Pensions: **HB 2005**.
 Judiciary: **HB 2001, HB 2003, HB 2004, HB 2014, HB 2018**.
 Local Government: **HB 2006**.
 Transportation: **HB 2008, HB 2010, HB 2016**.
 Veterans and Military: **HB 2007**.

**STANDING COMMITTEES OF THE HOUSE
 LEGISLATIVE SESSION 2017**

Agriculture: Hoffman, *Chairperson*; Thompson, *Vice Chairperson*; Baker, Blex, Clark, Ellis, Hibbard, Highland, Jacobs, Karleskint, Lewis, Orr, Schroeder, Seiwert, Sloan, Smith, E. Carlin, *Ranking Minority Member*; Deere, Lusker, Neighbor, Pittman, Weigel, Wilson

Agriculture and Natural Resources Budget: Schroeder, *Chairperson*; Hibbard, *Vice Chairperson*; Arnberger, Clark, Johnson, Sloan
 Carlin, *Ranking Minority Member*; Gartner, Ousley

Appropriations: Waymaster, *Chairperson*; Davis, *Vice Chairperson*; Campbell, Claeys, Concannon, Hoffman, Johnson, Jones, Kessinger, Lakin, Landwehr, Proehl, Ralph, Schroeder, Sutton, Tarwater
 Wolfe Moore, *Ranking Minority Member*; Alcalá, Ballard, Burroughs, Carlin, Helgerson, Phelps

Calendar and Printing: Hineman, *Chairperson*; Ryckman, *Vice Chairperson*; Phillips, Schwab Ward, *Ranking Minority Member*; Frownfelter

Children and Seniors: Alford, *Chairperson*; Gallagher, *Vice Chairperson*; Baker, Dietrich, Good, Judd-Jenkins, Kiegerl, Markley, Mastroni
 Ousley, *Ranking Minority Member*; Curtis, Deere, Murnan

Commerce, Labor and Economic Development: Mason, *Chairperson*; Corbet, *Vice Chairperson*; Baker, Claeys, Clayton, Davis, Elliott, Kessinger, Phillips, Ralph, Seiwert, Tarwater
 Whipple, *Ranking Minority Member*; Carmichael, Ruiz, Stogsdill, Terrell

Corrections and Juvenile Justice: Jennings, *Chairperson*; Whitmer, *Vice Chairperson*; Becker, Delperdang, Finch, Humphries, Koesten, Smith, E., Swanson
 Highberger, *Ranking Minority Member*; Deere, Kuether, Weigel

Education: Aurand, *Chairperson*; Dierks, *Vice Chairperson*; Arnberger, Dietrich, Dove, Good, Powell, Rooker, Schreiber, Sutton, Tarwater, Vickrey
 Winn, *Ranking Minority Member*; Crum., Ousley, Stogsdill, Trimmer

Elections: Esau, *Chairperson*; Carpenter, *Vice Chairperson*; Averkamp, DeGraaf, Garber, Good, Orr, Thimesch, Williams
 Miller, *Ranking Minority Member*; Alcalá, Curtis, Parker

Energy, Utilities and Telecommunications: Seiwert, *Chairperson*; Garber, *Vice Chairperson*; Alford, Corbet, Cox, Delperdang, Finch, Markley, Mason, Schreiber, Sloan, Thimesch
 Kuether, *Ranking Minority Member*; Carmichael, Deere, Gartner, Lusker

Federal and State Affairs: Barker, *Chairperson*; Highland, *Vice Chairperson*; Arnberger, Averkamp, Carpenter, Clayton, Ellis, Houser, Humphries, Jacobs, Karleskint, Rooker, Smith, E., Weber., Whitmer, Williams
 Ruiz, *Ranking Minority Member*; Henderson, Highberger, Lusk, Miller, Sawyer, Wilson

Financial Institutions and Pensions: Kelly, *Chairperson*; Powell, *Vice Chairperson*; Blex, Dietrich, Dove, Elliott, Eplee, Hawkins, Jennings, Patton, Thompson, Vickrey
Finney, *Ranking Minority Member*; Hodge, Trimmer, Weigel, Whipple

General Government Budget: Sutton, *Chairperson*; Weber, *Vice Chairperson*; Dierks, Dietrich, Judd-Jenkins, Kiegerl
Burroughs, *Ranking Minority Member*; Hodge, Neighbor

Government, Technology and Security: DeGraaf, *Chairperson*; Lewis, *Vice Chairperson*; Baker, Becker, Esau, Gallagher, Kiegerl, Koesten, Rafie
Curtis, *Ranking Minority Member*; Ohaebosim, Pittman, Terrell

Health and Human Services: Hawkins, *Chairperson*; Concannon, *Vice Chairperson*; Barker, Blex, Dove, Ellis, Eplee, Kelly, Lakin, Osterman, Powell, Rafie
Wilson, *Ranking Minority Member*; Crum., Henderson, Holscher, Murnan

Higher Education Budget: Jones, *Chairperson*; Swanson, *Vice Chairperson*; Brim, Carpenter, DeGraaf, Markley
Phelps, *Ranking Minority Member*; Terrell, Whipple

Insurance: Vickrey, *Chairperson*; Dove, *Vice Chairperson*; Corbet, Cox, Elliott, Eplee, Hawkins, Kelly, Orr, Patton, Powell, Smith, A.
Neighbor, *Ranking Minority Member*; Bishop, Finney, Hodge, Parker

Interstate Cooperation: Ryckman, *Chairperson*; Schwab, *Vice Chairperson*; Hineman, Phillips, Thompson
Ward, *Ranking Minority Member*; Holscher

Judiciary: Finch, *Chairperson*; Patton, *Vice Chairperson*; Alford, Becker, Cox, Elliott, Garber, Huebert, Humphries, Jennings, Lakin, Mastroni, Osterman, Ralph, Wheeler, Whitmer
Carmichael, *Ranking Minority Member*; Bishop, Curtis, Highberger, Hodge, Kuether, Miller

K-12 Education Budget: Campbell, *Chairperson*; Huebert, *Vice Chairperson*; Aurand, Hoffman, Jones, Karleskint, Landwehr, Patton, Rooker, Schwab, Smith, A., Vickrey
Trimmer, *Ranking Minority Member*; Helgerson, Lusk, Sawyer, Winn

Legislative Budget (House): Waymaster, *Chairperson*; Davis, *Vice Chairperson*; Hineman, Ryckman, Schwab
Ward, *Ranking Minority Member*; Frownfelter, Wolfe Moore

Local Government: Williams, *Chairperson*; Thimesch, *Vice Chairperson*; Awerkamp, Carpenter, Cox, Lewis, Markley, Orr, Thompson
Alcala, *Ranking Minority Member*; Bishop, Finney, Phelps

Rules and Journal: Finch, *Chairperson*; Aurand, Davis, Patton, Schwab
Sawyer, *Vice Chairperson*; Trimmer

Social Services Budget: Landwehr, *Chairperson*; Clayton, *Vice Chairperson*; Esau, Gallagher, Judd-Jenkins, Weber.
Ballard, *Ranking Minority Member*; Lusk, Murnan

Taxation: Johnson, *Chairperson*; Phillips, *Vice Chairperson*; Concannon, Corbet, Davis, Eplee, Francis, Hawkins, Kelly, Mason, Proehl, Rafie, Rahjes, Smith, A., Thimesch, Williams
Sawyer, *Ranking Minority Member*; Alcala, Burroughs, Gartner, Ohaebosim, Ruiz, Wolfe Moore

Transportation: Proehl, *Chairperson*; Francis, *Vice Chairperson*; Alford, Brim, Gallagher, Highland, Houser, Jacobs, Mastroni, Rahjes, Schreiber, Wheeler
Lusker, *Ranking Minority Member*; Ballard, Ohaebosim, Pittman, Victors

Transportation and Public Safety Budget: Claeys, *Chairperson*; Houser, *Vice Chairperson*; Awerkamp, Delperdang, Kessinger, Koesten
Helgerson, *Ranking Minority Member*; Finney, Parker

Veterans and Military: Osterman, *Chairperson*; Clark, *Vice Chairperson*; Brim, DeGraaf, Delperdang, Dierks, Esau, Phillips, Wheeler
Weigel, *Ranking Minority Member*; Gartner, Pittman, Stogsdill

Water and Environment: Sloan, *Chairperson*; Rahjes, *Vice Chairperson*; Blex, Francis, Garber, Hibbard, Lewis, Mason, Schreiber, Seiwert, Swanson, Thompson
Victors, *Ranking Minority Member*; Crum., Holscher, Kuether, Terrell

COMMUNICATIONS FROM STATE OFFICERS

From Kansas Department of Transportation, Division of Aviation; Unmanned Aerial Systems, 5-Year Strategic Plan.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

On motion of Rep. Hineman, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

It being the hour in accordance with **HCR 5001**, to meet in joint session with the Senate to hear the message of the Governor, Reps. Swanson, Dove and Alcalá escorted President Wagle and members of the Senate to seats in the House.

Reps. Finch, Patton and Miller and Senators Wilborn and Francisco escorted the Supreme Court to seats in the House.

Reps. Highland, Carpenter and Holscher and Senators Schmidt and Pettey escorted the Lieutenant Governor to a seat in the House.

Reps. Thompson, Williams and Helgerson and Senators Olson and Rogers escorted the Governor to the rostrum.

**Governor Sam Brownback
2017 State of the State Address**

Mr. Speaker, Madam President, members of the Kansas Supreme Court, members of the Cabinet, and my personal favorite, the First Lady of Kansas Mary Brownback.

Also here are my parents, Bob and Nancy Brownback.

My fellow Kansans, welcome.

Welcome to the State of the State address.

A chance to see old friends, to make new ones. A chance to celebrate the awesomeness of Kansas.

This event was once described to me as the beautiful ritual...conducted...just before the real battle begins.

So thanks for being here and thank you for your service. American self-government depends on citizens like you giving of your time and talents.

The American way also depends on the defense of freedom provided by the sacrifice from our men and women in uniform. Always recognizing "Duty First," America's First Infantry Division is celebrating this year their 100th anniversary. Playing a key role in every major conflict since its founding, today nearly 5,000 Big Red One soldiers are spread across Iraq, Afghanistan, and Korea. Joining us tonight are senior leaders from Fort Riley, Brigadier General Pat Frank and Command Sergeant Major Jonathan Stephens.

Also joining us this evening is a family of volunteer firefighters that fought the largest Prairie fire in modern history. David and Patty Johnson, along with their daughter Lori, stepped into danger to protect their local communities in Barber and Comanche Counties. Please help me in recognizing these heroes.

Over a third of the members in this chamber tonight are new to the Legislature.

This Legislature will not only welcome many new faces but also some familiar faces in new positions. Welcome to Ron Ryckman Jr, our new Speaker.

And Susan Wagle, our returning Senate President.

To Minority leaders Hensley and Ward, welcome.

Like the caucuses they serve, these are very different people, but they have something in common. They all chose to be here and serve.

As you meet your new colleagues, you'll be trying to determine what sort of people they are. Well, they are just like you. They love Kansas and sacrificed to be here. Cherish that connection. Value people over politics.

By many measures Kansas is the envy of the world.

Set in the most productive part of this blessed nation, Kansans enjoy unparalleled sunsets and a quality of life unimaginable to most humans throughout history.

Our people, numbering now almost three million, lead the planet in agriculture, telecommunications, engineering, aerospace, precision manufacturing, animal health, food safety, and composite material innovation.

Kansans are among the most hard-working, well-educated, and charitable people on earth.

That's why, even though Kansans value life and liberty under law, government has never been the source of our strength—our families, businesses, faith communities, and homes—these are the strength of Kansas.

Our state has record population, record new businesses, record grain production, and record income.

My fellow Kansans, it is for these reasons and more that I can report to you the state of our state is indeed strong.

Like our ancestors before us, we draw on this strength—in times of plenty, and in times of hardship.

With struggles in key sectors of our state's economy, most notably agriculture and oil & gas, our state government is confronting challenges.

Most immediately, we must address the imbalance between state revenues and expenditures.

As a first step, I encourage the Legislature to put a bill adjusting the 2017 budget on my desk by the end of the month.

Working with the relevant chairs and the leadership, we have many suggestions as to what that measure should look like.

But as the legislature is the spending branch, that work appropriately begins here. Our commitment to you is to support that process and, anticipating a workable product, to sign it.

But the scale of the challenge is such that even this bill will only amount to a first step.

That is why, tomorrow, Budget Director Sullivan will present in detail...a structurally balanced budget.

This budget is balanced.

Balanced in that it reconciles spending with available revenue.

Balanced in that it adequately supports the core functions of state government, while finding necessary efficiencies.

Balanced in that it addresses both sides of the ledger, revenue and expenditure.

The days of tax first, cut never have come to an end.

As President Bill Clinton even observed, "The era of big government is over."

Can we really ask Kansans to pay more for a government that maintains separate bureaucracies to license the practice of barbering AND cosmetology? Our budget will fix that.

Do we continue to need separate departments to regulate the state insurance and securities markets? Our budget will address that too.

Many times this administration has proposed similar efficiencies, and inevitably there were those who insisted that we couldn't possibly get along without both a Department of Transportation and Turnpike Authority; without both a Commerce Department AND a Technology Enterprise Corporation; without both a Department of Corrections AND a separate Juvenile Justice Authority. But just about every time, shortly after consolidations were complete, most people were left asking, 'Why didn't we do this before?'

And we owe it to Kansas taxpayers to find those efficiencies again, BEFORE asking for more revenue. That's why my budget adopts recommendations from the efficiency study commissioned by the legislature.

Having said that, we will propose modest, targeted revenue measures to fund essential state services.

In any proposal as vast as a state budget, people will find provisions to dislike. That's a necessary start of any conversation, but good negotiations require give and take. Kansans deserve no less.

As a state, we have pioneered new ground on small business policy. Kansas was the first state in the nation to pass such a small-business tax policy focused on lifting the income tax burden from job creators.

With two-thirds of Kansans working for small businesses, this policy is targeted support that Kansans have used to increase pay for their employees, hold prices down for their products, or expand their businesses.

Gilmore Tagge is one such Kansas business. Located in Clay Center, they were

recently named Kansas Exporter of the Year. They used the tax benefit to increase the salary of their employees.

As new businesses decline nationally, we boast a record number of new businesses here. Businesses from Missouri are moving across the border, making Kansas City more of a Kansas city.

President-elect Trump's tax plan targets small businesses. Speaker Ryan's tax plan targets small businesses in much the same way as we did.

Other states, most notably Missouri, are looking at how to create an economic atmosphere for private sector job growth. The biggest creators of jobs in Kansas and America are small businesses. Hurting them puts us at a competitive disadvantage.

The purpose of our small business tax cut has been to increase the number of small businesses and increase private sector job growth. That policy has worked.

Fortunately for our budget, Kansas had the foresight to reform Medicaid—a policy others are following. Instead of an open-ended fee for service entitlement, Kansas became the first state in America to serve its entire Medicaid population through managed care.

Thanks to the Leadership of Lt. Governor Jeff Colyer, we have seen more Kansans served than ever before, steady or improving health outcomes for beneficiaries, and dramatic cost savings to taxpayers of \$1.4 billion.

As challenging as our current budget situation is, imagine if we had followed the siren song of the Affordable Care Act.

Amid much discussion and dissent, our Administration determined that early adoption of ObamaCare was not in the best interests of Kansas, and returned a \$31.5 million grant designed to establish a Kansas exchange. Six years later, the wisdom of that decision is obvious.

Of the 23 state exchanges established under ObamaCare, a majority have failed, at a cost of billions including significant hits to state budgets. As major insurers abandon the few remaining state exchanges, the decision to refuse early adoption looks increasingly like declining a discount ticket on the Titanic.

The same holds true for the policy choice not to take the bait on Medicaid expansion.

You've heard the promise—hundreds of thousands more beneficiaries at zero cost to the state—all paid for with 'free' federal money.

The new Congress and Administration in Washington are setting to work repealing and replacing ObamaCare, dramatically re-writing the Medicaid program. Promises of limitless 'free' money from Washington to cover expanded populations were never going to be kept, but that reality might now arrive sooner than later. For states who took the expansion path, the reckoning could be severe.

Given these facts, it would be foolish to endorse the ObamaCare expansion of Medicaid now—akin to airlifting on to the Titanic. Kansas was right. Kansas should stay the course.

We will continue to be at the vanguard in reform and improvement of our social services delivery.

To that end, Kansas will launching KanCare 2.0 in the coming year.

This Administration has focused efforts on solving long term issues facing our state like the need for more jobs—we've added 64,000 private sector jobs.

The need to preserve water resources—we've seen the life of the Ogallala Aquifer extended in some areas through conservation and new technology.

The need to expand wind energy production—we've seen \$10 billion of wind investments brought to the prairie.

The need to help the poor amongst us—we've tripled the number of able-bodied adults leaving poverty.

The need to save innocent life—we've increased the number of mothers choosing life and health, for themselves and their children.

The need to address quality of life issues—we will see the groundbreaking for a new facility in Wyandotte County to host the American Royal, an internationally significant livestock show and the world's biggest and best barbecue competition.

We will also see the completion of the Flint Hills Nature Trail, a nearly 100 mile trail thru the heart of our beloved tall grass prairie.

The shortage of medical and dental personnel is one of those critical, long-term needs that we must address.

For as long as I can remember, Kansas has experienced a critical shortage of medical doctors, particularly in our rural areas.

We currently have 92 of our 105 counties classified as medically underserved, and 87 of our counties are underserved for dentistry.

We are proposing three solutions.

Five million dollars have been placed in the budget to start new residency programs in Kansas. This proposal came from the Rural Healthcare Working Group chaired by Dr. Colyer.

The second proposal is the establishment of a privately funded Doctor of Osteopathy School in Kansas.

Osteopathic schools have a higher percentage of their graduates practicing medicine in primary care and in rural areas. Because our needs are chronic and most acute in rural areas, I have asked Terry Holdren, CEO of the Kansas Farm Bureau, to head the Task Force in bringing a DO school to Kansas.

This school will follow the little-known medical legacy of one of our most famous Kansans: Phog Allen. Leaving KU for a time, Phog Allen attended medical school and became a Doctor of Osteopathy. He eventually returned to the Jayhawks and bolstered his illustrious career, not only as a coach, but also as a D.O., using his medical training to treat his players' injuries.

Finally, we need dentists, again particularly in our rural areas.

Kansas does not have a dental school and remains dependent on out-of-state schools. This is not a long term solution.

My proposed budget has money to begin the development of a Kansas dental school at the University of Kansas Medical Center.

Let us begin working toward the future now, moving forward to address the chronic health care needs of our state.

According to the most recent information from the federal Child and Family Services Review, our state's foster care program was first in the nation in protecting foster care kids from abuse and second in the nation in safely maintaining children in their homes. But other areas require improvement.

To that end, we are working with DCF and KSDE to improve the system for transferring records for youth in foster care. When students in foster care move homes, their school records must also move. This will empower teachers and foster parents to better understand and improve education for students in foster care.

Preparing for a brighter future also demands action from the legislature regarding Kansas students. The most significant legislative task you face is building a new school funding system that puts students first.

For decades, the children of Kansas suffered under an overly complicated education finance formula that lacked accountability for results, hand-cuffed local school boards, and spent money unrelated to student achievement.

With the Kansas State Board of Education, we've sought new ideas to better equip Kansas students for the twenty-first century.

The time has come to create a school finance system driven by outcomes that provide more opportunities to our students. We need predictability and sustainability for both educators and taxpayers. We need to measure success not by dollars spent, but by the achievement of our students.

Now is the time, this is the session, for us to craft a new school finance system that puts Kansas students first.

Our founders laid the groundwork for a suitable education for all Kansas students because they knew, as do we, that a key to preserving our liberty is educating the next generation. We have a moral imperative to improve the educational outcomes, opportunities, and character of every student—in the top of their class, the middle, or the bottom.

As we build this new funding system, we must innovate.

Blue Valley is one of the state's most innovative school districts. Their innovation works. Earlier this year, Blue Valley high school students placed second highest in the world for math and science test scores. Congratulations on your accomplishment.

Now, we need more innovation.

Projects like the EducationSuperHighway pave the way toward connectivity in the classroom so students can begin interacting with the tools of our time. We must prepare today's students for tomorrow's workforce. Every student, in every classroom, will have affordable, effective, high-speed internet.

The ability to read is critical. Inventive programs like Kansas Reading Roadmap ensure that struggling students receive the additional help they need to succeed. Connor Lee is seven years old and full of life. Born with Down Syndrome and several health complications, this young man has worked hard to reach goals that come easy to other children. He joined Kansas Reading Roadmap last August. Spending time with Shelley, his specialist, Connor is now able to better identify letters and words, and reading is right around the bend. Along with his mother, Tanya, this dynamic fellow and his reading specialist Shelley are with us tonight—Connor, can you wave to us?

We must also acknowledge and support the tens of thousands of Kansans who, like Shelley, dedicate their lives to educating our children. Two of my children teach; I too have taught. Educators are not simply working a job; they are fulfilling a calling. For those teachers leading the way, going above and beyond their duties, funds should be available to provide merit based pay increases.

Kansas has been blessed with a large number of talented, compassionate, and motivated educators. However, across the nation there is a growing demand for teachers. We must recruit talented educators to come to Kansas, but outdated regulations sometimes prevent this. Simple reforms in the teacher certification system can create a pathway bringing more teachers to Kansas.

We also have a responsibility to build up the next generation of educators. We need

the best and brightest students following in the footsteps of the teachers that inspired them. But college costs can make this difficult. That is why I've announced the launch of TeachersKan, a new scholarship program for Kansas college students. If you are a successful Kansas student and commit to teaching in a hard to fill discipline or underserved community, we will help equip you to become a teacher of tomorrow.

Infrastructure and recruitment are partial keys to success, but we must also empower parents with information and choices, creating more competition in our education system. For parental information and transparency, we should create a grading system for our schools to measure and report their status to the public. Parents have the right to know how the performance of their child's school compares to other schools.

The zip code in which you are born should not determine the quality of education you receive. We should expand eligibility of the existing tax exempt scholarship program. We should continue to build our career and technical education programs that are empowering students to have good paying jobs upon graduation. And we should support education savings accounts that create opportunity for parents and students to improve their academic options.

Capping the education of many Kansas students is a college degree. Yet, while many of our students possess the academic ability to attend college, the financial cost of a bachelor's degree proves prohibitive.

Kansans deserve access to an affordable college option.

Tonight, I am laying out a challenge to our colleges and universities to provide the opportunity to earn a bachelor's degree—in total—for \$15,000 or less.

While the challenge is great, the potential achievement is greater. I trust that Kansas colleges and universities are fully capable to rise to this call. With success in this field already proven in other states, my budget fully funds 50 student scholarships to the institution that first accomplishes the \$15,000 degree.

There is much work to be done, both in K-12 and higher education, but I am confident that by working together we can create greater opportunity and a brighter future for our students.

You might be familiar with the story of Benjamin Franklin at the end of the Constitutional Convention.

He was the oldest delegate in attendance and had not often spoken during the proceedings, but in his final speech, he stated: "I confess that there are several parts of this constitution which I do not at present approve, but I am not sure I shall never approve them... [The] older I grow the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others."

The judgment of others has brought each of us here. We owe them our wisdom, our labor, and progress.

Including my time as Secretary of Agriculture, White House Fellow, Congressman, Senator, and Governor—this will be my thirtieth year in public service.

To paraphrase Tony Blair:

'The danger of longevity in government is fatigue; the benefit is experience.'

If you'll permit me, some brief words of advice: make relationships your priority, and do things with the long view in mind.

Every day a Legislator faces the tyranny of the ringing phone and the inbox flooding with emails—the urgent crowding out the important. But it is in relationships that we actually get our work done over time.

I have been blessed with many close relationships in my life. My wife being the most important. Many here I have had the chance to grow close to, in good times and in difficult ones.

Here's one such relationship—Mario Goico. He is here tonight, a friend, former legislator, and all around good guy. Mario, I want to see the Right to Try bill you pursued, allowing access to cancer drugs at an earlier stage, pass. I'll always remember your signature line, "It doesn't get any better than this."

Let me close with a thought on the Great Seal of the State of Kansas.

You have heard often of our state motto, "*Ad Astra Per Aspera*," *To the Stars Through Difficulty*, a fitting motto for people like ours who have accomplished much and none of it easy.

One of the alternative mottos that was nearly accepted were the simple words, "We will." Not a bad choice either for such a determined and blessed people as we have been.

The picture on the seal represents many aspects of our state's past and present: The buffalo, Native Americans, a steam boat, settlers, farmers, and the home on the range.

But the visual that most catches my eye is the part of the seal easiest to ignore or escape notice altogether. It is the glow of the rising Sun. A glow that is both brilliant and oddly tranquil, almost otherworldly. Quite a contrast to all the action it oversees. That glow speaks to me of a future full of Light and Peace that we will only be achieved through difficulty. A future even beyond the stars.

This is the place our destiny lies. A place sung of in countless churches, synagogues, and places of worship across our vast prairie.

Kansas is a blessed place, a "good land." Let us never forget the God of our Forefathers who blessed it and us. And let our eyes never lose sight of the glow from that heavenly place where Peace reigns forevermore!

May God continue to bless the people of our home--Kansas.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m.,
Wednesday, January 11, 2017.

Journal of the House

THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 11, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Dove was excused on verified illness.

Rep. Schwab was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty Creator God,
once again, it is with great humility
that I stand before this body of leaders
with the privilege of praying for them.
Thank you for the honor
of being their pastor during their time here.
Give me wisdom, compassion and discernment
as I support them during this legislative session.
As I look around, there are many familiar faces,
many new faces.

I pray that You be near each one of them
and that you equip them with
good judgment, patience, understanding,
unity, wisdom, sensitivity, and conviction.
Be with the newly elected leaders
of the House and two parties.

Help them as they work together to bring about the solutions
that will assist the great people of Kansas
in the way that You lead.

I pray this in Christ Jesus' name,
Amen.

The Pledge of Allegiance was led by Rep. Houser.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2024, AN ACT concerning elections; enacting the interstate compact on the agreement among the states to elect the president by national popular vote; amending K.S.A. 25-802 and 25-804 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2025, AN ACT relating to assistant attorneys general; amending K.S.A. 74-1111 and repealing the existing section, by Committee on Health and Human Services.

HB 2026, AN ACT concerning the board of nursing; reinstatement of licenses; fees; amending K.S.A. 2016 Supp. 65-1118 and repealing the existing section, by Committee on Health and Human Services.

HB 2027, AN ACT concerning the healing arts; relating to anatomic pathology billing; amending K.S.A. 2016 Supp. 65-2837 and repealing the existing section, by Committee on Health and Human Services.

HB 2028, AN ACT concerning the mental health technician's licensure act; amending K.S.A. 65-4203 and 65-4208 and K.S.A. 2016 Supp. 65-4202 and 65-4212 and repealing the existing sections, by Committee on Health and Human Services.

HB 2029, AN ACT concerning public health; relating to cannabidiol investigational products; regulation, by Committee on Health and Human Services.

HB 2030, AN ACT concerning public health; relating to pharmacists and certain other individuals; pertaining to the administration of vaccines; amending K.S.A. 2016 Supp. 65-1635a and repealing the existing section, by Committee on Health and Human Services.

HB 2031, AN ACT concerning health care; relating to palliative care; establishing the palliative care and quality of life interdisciplinary advisory council; palliative care consumer and professional information and education program, by Committee on Health and Human Services.

HB 2032, AN ACT concerning the state water plan fund; increasing certain fees credited to such fund; amending K.S.A. 2016 Supp. 2-1205, 2-2204 and 82a-954 and repealing the existing sections, by Committee on Water and Environment.

HB 2033, AN ACT concerning the crime victims compensation board; relating to claims for compensation; amending K.S.A. 2016 Supp. 74-7305 and repealing the existing section, by Committee on Judiciary.

HB 2034, AN ACT concerning crimes and punishment; relating to aggravated battery; amending K.S.A. 2016 Supp. 21-5413 and repealing the existing section, by Committee on Judiciary.

HB 2035, AN ACT concerning criminal procedure; relating to post-trial motions, correction of sentence; amending K.S.A. 22-3504 and repealing the existing section, by Committee on Judiciary.

HB 2036, AN ACT concerning taxation; relating to certain income tax credits for graduates of aerospace and aviation-related educational programs and their employers, by Committee on Commerce, Labor and Economic Development.

HB 2037, AN ACT concerning economic development; establishing a grant program for Kansas educational institutions administered by the director of aviation to promote aviation education and small business development; establishing the aviation fuel sales tax fund, by Committee on Commerce, Labor and Economic Development.

HB 2038, AN ACT concerning business entities; relating to fees for certain filings with the secretary of state; exemption for certain veterans and current members of the armed forces; amending K.S.A. 56-1a605 and 56a-105 and K.S.A. 2016 Supp. 17-7506 and 17-76,136 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2039, AN ACT concerning aviation and airports; relating to the Kansas airport improvement program, by Committee on Commerce, Labor and Economic Development.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Health and Human Services: **HB 2022**.

Insurance: **HB 2021**.

Taxation: **HB 2023**.

COMMUNICATIONS FROM STATE OFFICERS

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concerns (KCDC), Kansas Employment First Oversight Commission; 2017 Recommendations Statement.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5001**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The following escorts are appointed for the State of the State:

To escort the Governor: Senator Olson and Senator Rogers

To escort the Lt. Governor: Senator Schmidt and Senator Pettey

To escort the Supreme Court: Senator Wilborn and Senator Francisco

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **HB 2017** be amended on page 1, in line 7, before "Except" by inserting "(a)"; following line 16, by inserting:

"(b) The amendments made by this act to this section shall be effective on and after January 1, 2017.";

Also on page 1, in line 18, before "Whenever" by inserting "(a)";

On page 2, in line 2, by striking "1,000" and inserting "3,000"; following line 8, by inserting:

"(b) The amendments made by this act to this section shall be effective on and after January 1, 2017.";

Also on page 2, in line 10, before "In" by inserting "(a)"; following line 26, by inserting:

"(b) The amendments made by this act to this section shall be effective on and after January 1, 2017."; and the bill be passed as amended.

Committee on **Rules and Journal** recommends **HCR 5002; HR 6004** be adopted.

REPORT ON ENGROSSED BILLS

HR 6001, HR 6002, HR 6003 reported correctly engrossed January 10, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, January 12, 2017.

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 12, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 124 members present.
Rep. Kuether was excused on verified illness.

Prayer by Chaplain Brubaker:

Omnipotent and All Loving God,
I thank You for this day that You have given us.
Help us all to be good stewards of how we use this day.
Give strength to these leaders to do the work;
a willingness to hear and heed Your will
in the decisions already needed to be made;
a humility to use their power and authority
to truly help people and not advance their purposes.
and a resolve to live above reproach
and be a role model of servanthood.
In Your Name I ask these things,
Amen.

The Pledge of Allegiance was led by Rep. Jones.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2040, AN ACT regulating traffic; concerning the overtaking and passing of school buses, cameras, penalties; amending K.S.A. 2016 Supp. 8-1556, 8-2106 and 8-2118 and repealing the existing sections, by Committee on Transportation.

HB 2041, AN ACT concerning courts; relating to court fees and costs; judicial branch surcharge fund; amending K.S.A. 2016 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 21-6614g and 21-6614h, by Committee on Judiciary.

HB 2042, AN ACT concerning firearms; relating to the personal and family protection act; relating to the recognition of licenses issued by another jurisdiction; relating to confidentiality of licensure documents; amending K.S.A. 2016 Supp. 75-7c03 and 75-7c06 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2043, AN ACT concerning insurance; relating to financial examination; requirements; amending K.S.A. 40-2912 and K.S.A. 2016 Supp. 12-2620 and 44-584 and repealing the existing sections, by Committee on Insurance.

HB 2044, AN ACT concerning clubhouse-based psychosocial rehabilitation programs, by Committee on Health and Human Services.

HOUSE CONCURRENT RESOLUTION No. **HCR 5003**—
By Committee on Federal and State Affairs

HCR 5003-- A CONCURRENT RESOLUTION urging Congress to propose the regulation freedom amendment to the Constitution of the United States.

WHEREAS, The growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth and Fifth Amendments of our Constitution; and

WHEREAS, Federal regulators must be more accountable to elected representatives of the people and not immune from such accountability; and

WHEREAS, The United States House of Representatives has passed with bipartisan support the REINS Act to require that Congress approve major new federal regulations before they can take effect; and

WHEREAS, Even if enacted, a law may be repealed or waived by a future Congress and President; and

WHEREAS, An amendment to the Constitution of the United States does not require the President's approval and cannot be waived by a future Congress and President: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature does hereby urge the United States Congress to vote to propose the regulation freedom amendment to the Constitution of the United States as follows:

"Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation."; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to each member of the Kansas congressional delegation and shall work with Kansas' legislative leaders to send a copy to the legislative leaders in other states, including the Speaker of the House of Representatives and the President of the Senate of every state legislature in the United States.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2036, HB 2037, HB 2038, HB 2039.**

Federal and State Affairs: **HB 2024.**

Health and Human Services: **HB 2025, HB 2026, HB 2027, HB 2028, HB 2029, HB 2030, HB 2031.**

Judiciary: **HB 2033, HB 2034, HB 2035.**

Water and Environment: **HB 2032.**

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2017** be adopted;

On motion of Rep. Carmichael, **HB 2017** be amended as amended by House Committee, on page 2, in line 4, after the period by inserting "Such petitions may not be circulated for signatures prior to the governor proclaiming the date of the election."; and the bill be passed as amended.

HCR 5002 be passed over and retain a place on the calendar. (See further action.)

On motion of Rep Helgerson to amend **HR 6004**, the motion did not prevail.

Also, on motion of Rep Highberger to amend **HR 6004**, the motion did not prevail.

Also, on motion of Rep Ward to ammend **HR 6004**, the motion did not prevail.

On further motion of Rep. Ward, **HR 6004** be amended, on page 11, in line 35, after the period by inserting "If a committee recommends amendments to a bill or resolution referred to it which strike out all of the material in the bill or resolution subsequent to the enacting clause or resolving clause and inserts new material, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill as the sponsor."; and the resolution be adopted as amended.

HCR 5002 be adopted.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman pursuant to House Rule 2311, **HB 2017, HCR 5002, HR 6004** were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2017, AN ACT concerning elections; dealing with vacancies in the office of United States representative to congress; amending K.S.A. 25-3502, 25-3504 and 25-

3507 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delp-erdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Aurand.

Present but not voting: None.

Absent or not voting: Kiegerl, Kuether.

The bill passed, as amended.

HCR 5002, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2017-2018 biennium, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 7; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Curtis, E. Davis, Deere, DeGraaf, Delp-erdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Crum, S., Finney, Helgerson, Miller, Neighbor, Parker, Winn.

Present but not voting: None.

Absent or not voting: Kiegerl, Kuether.

The resolution was adopted.

HR 6004, A RESOLUTION adopting permanent rules of the House of Representatives for the 2017-2018 biennium, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 35; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Murnan, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams, Wilson.

Nays: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Crum, S., Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Lusk, Miller, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Kiegerl, Kuether.

The resolution was adopted, as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 1, by Representative Jeff Pittman, commending Leavenworth High School JROTC on the 100th Anniversary of the War Department designating the Leavenworth Corps of Cadets an ROTC in 1917;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2045, AN ACT concerning the state board of healing arts; institutional licenses; amending K.S.A. 2016 Supp. 65-2895 and repealing the existing section, by Committee on Health and Human Services.

HB 2046, AN ACT enacting the anesthesiologist assistant licensure act; providing for powers, duties and functions of the state board of healing arts thereunder; establishing an anesthesiologist assistant council, by Committee on Health and Human Services.

HB 2047, AN ACT concerning the office of inspector general; amending K.S.A. 2016 Supp. 75-7427 and repealing the existing section, by Committee on Health and Human Services.

HB 2048, AN ACT concerning school districts; relating to teacher training and student instruction; addressing child sexual abuse; establishing Erin's law, by Committee on Corrections and Juvenile Justice.

HB 2049, AN ACT concerning crimes and punishment; enacting the law enforcement protection act; relating to sentencing for crimes committed against a law enforcement officer; amending K.S.A. 2016 Supp. 21-6804 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2050, AN ACT concerning economic development; creating the joint committee on economic development, by Committee on Commerce, Labor and Economic Development.

HB 2051, AN ACT concerning economic development; enacting the Kansas innovation zone act; reinstating the Kansas enterprise zone act; amending K.S.A. 2016 Supp. 79-32,160a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2052, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, June 30, 2018, and June 30, 2019, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 74-4914d, 74-4920, 75-2319 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-2319d, by Committee on Appropriations.

HB 2053, AN ACT concerning courts; relating to collection of debts owed to the courts; domestic cases; amending K.S.A. 2016 Supp. 20-169 and repealing the existing section, by Committee on Judiciary.

HB 2054, AN ACT concerning the department of labor; relating to employment security law; records and reports; amending K.S.A. 2016 Supp. 44-714 and repealing the existing section, by Committee on Judiciary.

HB 2055, AN ACT concerning the state board of pharmacy; powers, duties and functions thereof; amending K.S.A. 65-669, 65-1633, 65-1635, 65-1648, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1627, 65-1636, 65-1637, 65-1642, 65-1643, 65-1645, 65-1655, 65-1663, 65-1669, 65-1676, 65-2837a and 65-4202 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 65-1637b and 65-1651a, by Committee on Health and Human Services.

HB 2056, AN ACT concerning workers compensation; relating to the workers compensation and unemployment security boards nominating commission; administrative judge term length, reappointment; amending K.S.A. 2016 Supp. 44-551 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2057, AN ACT concerning the division of workforce development of the department of commerce; abolishing the division and transferring its powers, functions, assets and liabilities to the department of labor; amending K.S.A. 2016 Supp. 72-4427, 72-4460, 74-32,151, 74-32,160, 74-5002y, 74-50,209 and 75-5701b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-5002s, 74-5002t, 74-5002u, 74-5002v, 74-5002w, 74-5002x and 75-5701a, by Committee on Commerce, Labor and Economic Development.

HB 2058, AN ACT concerning workers compensation; relating to the prevailing factor standard of causation; amending K.S.A. 2016 Supp. 44-508 and 44-510k and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2059, AN ACT concerning workers compensation; relating to medical guides for the determination of permanent impairment; amending K.S.A. 2016 Supp. 44-510d and 44-510e and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2060, AN ACT concerning motor vehicles; relating to registration, fees, certain vehicles; amending K.S.A. 2016 Supp. 8-143 and repealing the existing section, by Committee on Transportation.

HB 2061, AN ACT concerning the video competition act, definitions; amending K.S.A. 2016 Supp. 12-2022 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

HB 2062, AN ACT concerning workers compensation; relating to alcohol and drug testing; employer credits for preexisting impairments and retirement; certain maximum rates; work disability claim threshold percentage; termination of employer's obligation; future medical benefits; claim notice requirements; dismissal for lack of prosecution; amending K.S.A. 2016 Supp. 44-501, 44-508, 44-510c, 44-510e, 44-510h, 44-510k, 44-520, 44-523 and 44-525 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

On motion of Rep. Hineman the House adjourned pro forma until 9:00 a.m. on Friday, January 13, 2017.

Journal of the House

FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 13, 2017, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Appropriations: **HB 2052.**

Commerce, Labor and Economic Development: **HB 2050, HB 2051, HB 2056, HB 2057, HB 2058, HB 2059, HB 2062.**

Corrections and Juvenile Justice: **HB 2048, HB 2049.**

Energy, Utilities and Telecommunications: **HB 2061.**

Federal and State Affairs: **HB 2042, HCR 5003.**

Health and Human Services: **HB 2044, HB 2045, HB 2046, HB 2047, HB 2055.**

Insurance: **HB 2043.**

Judiciary: **HB 2041, HB 2053, HB 2054.**

Transportation: **HB 2040, HB 2060.**

REPORT ON ENGROSSED RESOLUTIONS

HCR 5001, HR 6004 reported correctly engrossed January 12, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, January 17, 2017.

Journal of the House

SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 17, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Bishop was excused on verified illness.

Reps. Landwehr and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
As we remembered the great life of Martin Luther King, Jr. yesterday,
I am reminded of some of his prayers
that might be helpful to these leaders.
Help them to accept the tools you have given them.
However dull or different, help them to accept them
and to set out to do what they can with these tools.
Help them to go throughout this session
with proper faith and determination of will,
so they may be able to make a contribution to this state.
Give them the intelligence to know your will
and the courage to do your will to make a difference.
In Christ's Name I pray,
Amen.

(paraphrased from different prayers of Dr. Martin Luther King, Jr.)

The Pledge of Allegiance was led by Rep. Vickrey.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

Excerpts from Martin Luther King, Jr., "I Have A Dream"

Five score years ago, a great American, in whose symbolic shadow we stand today, signed the Emancipation Proclamation. This momentous decree came as a great beacon

light of hope to millions of Negro slaves who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of their captivity.

But there is something that I must say to my people, who stand on the warm threshold which leads into the palace of justice: In the process of gaining our rightful place, we must not be guilty of wrongful deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again, we must rise to the majestic heights of meeting physical force with soul force.

The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny. And they have come to realize that their freedom is inextricably bound to our freedom.

We cannot walk alone.

And as we walk, we must make the pledge that we shall always march ahead.

We cannot turn back.

Let us not wallow in the valley of despair, I say to you today, my friends.

Martin Luther King, Jr. quotes

“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”

“We may have come in on different ships, but we are all on the same boat now.”

“Let no man or woman pull you so low as to hate him.”

“Our lives begin to end the day we become silent about things that matter.”

“I can never be what I ought to be until you are what you ought to be. This is the interrelated structure of reality.”

“People fail to get along because they fear each other; they fear each other because they don’t know each other; they don’t know each other because they have not communicated with each other.”

“We will remember not the words of our enemies, but the silence of our friends.”

“For when people get caught up with that which is right and they are willing to sacrifice for it, there is no stopping point short of victory.”

The largest moments in civil rights history are often celebrated in milestones:

The signing of the Emancipation Proclamation

The passage of the 19th Amendment

The passage of the 14th Amendment

The approval of the Civil Rights Act

The Passage of Title IX

The election of President Barack Obama

For many people, these points of change represent the simplest way to remember progress—by counting the visible achievements we have reached as a society. Unfortunately, what is often forgotten is the work that has been done to reach those points of progress. We are quick to celebrate our historical successes, but we fail to acknowledge the battles we faced to get to them. After the election of President Obama, many people began to talk about the achievement of a post-racial society. That, for some reason, the election of a black president was indicative of the elimination of racism. Herein lies the problem with our celebration of points of progress. The freeing of slaves did not mean people of color were equal citizens of the United States. Women’s right to vote did not mean all gender rights were given equal protection. Just because we have moved forward, does not mean we finished the race. If we are going to celebrate Dr. Martin Luther King Jr., and his work, it’s important we acknowledge half of his battle was forcing people to realize there was even a fight to be had.

Martin Luther King Day has always been a day to realize the impact one individual had on African American history. This year, though, I want to remember the impact he had on the people that weren’t Black. Dr. Martin Luther King, Jr., forced people – regardless of race – to realize that our freedoms are inextricably tied to one another. It is important to remember that we are in this race together. We need you. We haven’t reached the finish line, and until we have, we can’t stop running.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2063, AN ACT concerning crimes, punishment and criminal procedure; relating to diversion; Kansas sentencing commission; amending K.S.A. 22-2907 and 22-2912 and K.S.A. 2016 Supp. 74-9101 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2064, AN ACT establishing the KanCare bridge to a healthy Kansas program, by Committee on Health and Human Services.

HB 2065, AN ACT concerning assessments on certain health care providers; amending K.S.A. 2016 Supp. 40-3213, 40-3236, 65-6208, 65-6217 and 65-6218 and repealing the existing sections, by Committee on Health and Human Services.

HB 2066, AN ACT concerning use of state highway right-of-way; relating to reimbursement for certain relocation costs; public wholesale water supply districts; amending K.S.A. 68-415 and repealing the existing section, by Committee on Water and Environment.

HB 2067, AN ACT concerning the uniform insurance agents licensing act; relating to fingerprinting of applicants for licensure; amending K.S.A. 2016 Supp. 40-4905 and repealing the existing section, by Committee on Insurance.

COMMUNICATIONS FROM STATE OFFICERS

From Timothy E. Keck, Acting Secretary, Kansas Department for Aging and Disability Services; pursuant to K.S.A. 59-29a11(e), an annual report detailing activities related to the transitional release and conditional release of sexually violent predators.

From Joseph House, Paramedic, Executive Director, Kansas Board of Emergency Medical Services; an annual report on the number, amount and reasons for fines imposed and subpoenas issued by the board during 2016.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

REPORT ON ENROLLED RESOLUTIONS

HR 6001, HR 6002, HR 6003 reported correctly enrolled and properly signed on January 17, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, January 18, 2017.

Journal of the House

SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 18, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Rep. Ruiz was excused on verified illness.

Reps. Landwehr, Powell and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
Thank You for this day You have given us.
Help us to be good stewards of this opportunity
to work together to bring about good.
Your Word admonishes us that...
“Unless the Lord builds the house,
its builders labor in vain.”
Help these leaders to not work
in their own power and knowledge,
but teach them to follow Your instructions.
When successful, give them humility;
when faced with opposition, give them grace;
when in frustration, give them assurance;
and when in confusion, give them wisdom.
I pray this in Your Son’s Name,
Amen.
(Psalm 127:1)

The Pledge of Allegiance was led by Rep. Proehl.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Jennings are spread upon the Journal;

I am before you today to recognize the 2016 National Junior College Athletic Association National Champion Football Team, the Garden City Community College Broncbusters.

Joining me are: Dr. Herbert Swender, College President; John Green, Athletic Director; Coach Jeff Sims; Nathan Roy (Mascott); Miranda McPhail (Cheerleader); Sean Callahan (All conference offensive lineman from Gardner/Edgerton, Kansas); Trey Minter (Nation's leading rusher and All American Tailback); Mike Hughes (Defensive Player of the Year and All American)

The Broncbusters enjoyed an extraordinary undefeated 2016 season that culminated in winning the National Championship game in the El Toro Bowl game against Arizona Western by a score of 25 to 22 on December 3rd. Great teams have great leaders. Coach Sims was recognized as Coach of the Year by the American Community College Football Coaches Association, National Junior College Athletic Association and the Kansas Jayhawk Community College Conference.

Garden City Community College offers terrific opportunities for students to attain an affordable high quality education with both outstanding academic and vocational programs. Now the community and students have another reason to be proud of the college. Please join me in congratulating the 2016 National Junior College Athletic Association National Champion Football Team, the Garden City Community College Broncbusters.

Rep. Jennings presented the team with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2068, AN ACT concerning child support orders; relating to enforcement against persons in arrearage; registration or renewal of registration of certain vehicles and vessels; professional licensure; recreational licensure; interest born on judgments; amending K.S.A. 16-204 and K.S.A. 2016 Supp. 8-173, 23-3120, 32-930, 32-1111 and 74-147 and repealing the existing sections, by Committee on Appropriations.

HB 2069, AN ACT concerning the Kansas law enforcement training act; relating to qualifications of applicants for certification; definitions; amending K.S.A. 2016 Supp. 74-5605 and repealing the existing section, by Committee on Judiciary.

HB 2070, AN ACT concerning the Kansas law enforcement training act; relating to open records, exemptions; amending K.S.A. 2016 Supp. 74-5611a and repealing the existing section, by Committee on Judiciary.

HB 2071, AN ACT concerning crimes and punishment; relating to domestic battery; amending K.S.A. 2016 Supp. 21-5414 and repealing the existing section, by Committee on Judiciary.

HB 2072, AN ACT concerning motor vehicles; relating to vehicle registration, fees; creating the Eisenhower preservation fund; amending K.S.A. 2016 Supp. 8-145 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2073, AN ACT concerning legal public holidays; designating indigenous peoples day; amending K.S.A. 2016 Supp. 35-107 and 35-205 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2074, AN ACT concerning firearms; relating to the personal and family protection act; relating to exemptions for certain entities; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2075, AN ACT concerning elections; dealing with voting procedures; amending K.S.A. 25-601 and K.S.A. 2016 Supp. 25-210, 25-414, 25-2309, 25-2352 and 25-3002 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2076, AN ACT concerning motor vehicles; relating to the use of safety belts; establishing the seat belt safety fund; amending K.S.A. 2016 Supp. 8-2504, 12-4120 and 74-7336 and repealing the existing sections, by Committee on Transportation.

HB 2077, AN ACT concerning civil procedure; relating to immunity from liability for certain persons performing inspection, installation or adjustment of a child safety seat or providing education regarding installation or adjustment of a child safety seat, by Committee on Judiciary.

HB 2078, AN ACT concerning property tax; relating to exemptions; authorizing school districts to reduce or eliminate certain exemptions; amending K.S.A. 2016 Supp. 79-201x and repealing the existing section, by Committee on Education.

HB 2079, AN ACT concerning motor vehicles; relating to water district vehicle registration; amending K.S.A. 2016 Supp. 8-1,134 and repealing the existing section, by Committee on Water and Environment.

HB 2080, AN ACT concerning rural water districts; relating to reinstatement of forfeited benefit units; amending K.S.A. 82a-621 and repealing the existing section, by Committee on Water and Environment.

HB 2081, AN ACT concerning firearms; relating to the personal and family protection act; relating to public employer liability; amending K.S.A. 2016 Supp. 75-7c10 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2082, AN ACT concerning property taxation; amending K.S.A. 2016 Supp. 25-432, 79-5a27, 79-1466, 79-1467, 79-1801 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 25-433a and 79-2925c, by Committee on Taxation.

HB 2083, AN ACT concerning motor vehicles; relating to registration, proof of payment of real and personal property taxes; amending K.S.A. 2016 Supp. 8-173 and repealing the existing section, by Committee on Taxation.

HB 2084, AN ACT concerning state agencies; relating to providing data and information to the Kansas sentencing commission; amending K.S.A. 2016 Supp. 74-9101 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Health and Human Services: **HB 2064**, **HB 2065**.

Insurance: **HB 2067**.

Judiciary: **HB 2063**.

Water and Environment: **HB 2066**.

COMMUNICATIONS FROM STATE OFFICERS

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117; report regarding the status of the KBI State Forfeiture Fund.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2017**.

Announcing adoption of **HCR 5002**.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2025**, **HB 2028** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2085, AN ACT concerning crimes, punishment and criminal procedure; relating to postrelease supervision; persons convicted of a sexually violent crime; amending K.S.A. 2016 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2086, AN ACT concerning crimes, punishments and criminal procedure; relating to offender registration; definitions; amending K.S.A. 2016 Supp. 22-4902 and 22-4903 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 22-4903a, by Committee on Corrections and Juvenile Justice.

HB 2087, AN ACT concerning crimes, punishment and criminal procedure; relating to certified drug abuse treatment programs; diversion agreements; amending K.S.A. 2016 Supp. 21-6824 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2088, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; certified drug abuse treatment programs; amending K.S.A. 2016 Supp. 21-6824 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2089, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; amending K.S.A. 2016 Supp. 21-6322 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2090, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; possession of a controlled substance; amending K.S.A. 2016 Supp. 21-6604 and 21-6805 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2091, AN ACT concerning children and minors; relating to possession or consumption of alcoholic beverages; immunity from liability for minor seeking medical assistance; parental notification; amending K.S.A. 2016 Supp. 41-727 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2092, AN ACT AN ACT concerning crimes, punishment and criminal procedure; relating to loss values; amending K.S.A. 2016 Supp. 21-5417, 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2093, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; juvenile adjudications; amending K.S.A. 2016 Supp. 21-6810 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, January 19, 2017.

Journal of the House

EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 19, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Reps. Sawyer and Wheeler were excused on verified illness.

Reps. Blex, Landwehr and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
for this another day of life and service,
thank You for the opportunities that lie before us.
Pour out Your Spirit on these leaders
and make Your Word and Way known to them.
Help them to be men and women of integrity,
understanding Your principles,
and acting justly and righteously.
Give them wise and understanding hearts
in the choices they have to make.
Make their hearts and ears attentive to Your counsel.
As they meet in the various committees and other meetings,
bring order to what may seem like chaos;
bring unity in what could potentially be divisive;
and bring respect for one another
when the temptation may be to have contempt.
This I pray in Your Name,
Amen.

The Pledge of Allegiance was led by Rep. Carpenter.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2094, AN ACT concerning municipalities; amending K.S.A. 12-2908 and repealing the existing section, by Committee on Local Government.

HB 2095, AN ACT concerning the uniform act regulating traffic; relating to gross

weight limits of certain vehicles, special permits; amending K.S.A. 2016 Supp. 8-1908 and repealing the existing section, by Committee on Transportation.

HB 2096, AN ACT regulating traffic; allowing transit buses to operate on certain right shoulders; amending K.S.A. 2016 Supp. 75-5091 and repealing the existing section, by Committee on Transportation.

HB 2097, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1712, 47-1720, 47-1733 and 47-1734 and K.S.A. 2016 Supp. 47-1701, 47-1706, 47-1709, 47-1710, 47-1711, 47-1721, 47-1723, 47-1725, 47-1726 and 47-1731 and repealing the existing sections; also repealing K.S.A. 47-1717, 47-1719, 47-1732 and 47-1736, by Committee on Agriculture.

HB 2098, AN ACT concerning wildlife, parks and tourism; relating to the mined land wildlife area, by Committee on Agriculture.

HB 2099, AN ACT concerning water; relating to the diversion of water; chief engineer; remedies for the impairment of a valid water right or permit to divert and use water; amending K.S.A. 82a-716 and 82a-717a and repealing the existing sections, by Committee on Agriculture.

HB 2100, AN ACT concerning water; relating to water conservation areas; amending K.S.A. 2016 Supp. 82a-745 and 82a-1906 and repealing the existing sections, by Committee on Agriculture.

HB 2101, AN ACT concerning the Kansas family law code; relating to marriage; common-law marriage; amending K.S.A. 2016 Supp. 23-2502 and 23-2714 and repealing the existing sections, by Committee on Judiciary.

HB 2102, AN ACT concerning counties; dealing with the board of county commissioners; amending K.S.A. 19-206 and repealing the existing section, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—

By Committee on Federal and State Affairs

HCR 5004-- A PROPOSITION to amend article 9 of the constitution of the state of Kansas, relating to counties by adding a new section 6 which pertains to home rule for counties.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 9 of the constitution of the state of Kansas is amended by adding a new section to read as follows:

"Article 9.—COUNTY AND TOWNSHIP ORGANIZATION"

"§ 6. Counties' power of home rule. (a) Counties are hereby empowered to determine their local affairs and government including the levying of taxes, excises, fees, charges and other exactions, except when and as the levying of any tax, excise, fee, charge or other exaction is limited or prohibited by enactment of the legislature applicable uniformly to all counties of the same class. The legislature may establish not to exceed four classes of counties for the purpose of imposing all such limitations or prohibitions. Counties shall exercise such determ-

ination by resolution passed by the governing body with referendums only in such cases as prescribed by the legislature, subject only to enactments of the legislature of statewide concern applicable uniformly to all counties, to other enactments of the legislature applicable uniformly to all counties, to enactments of the legislature applicable uniformly to all counties of the same class limiting or prohibiting the levying of any tax, excise, fee, charge or other exaction and to enactments of the legislature prescribing limits of indebtedness. All enactments relating to counties now in effect or hereafter enacted and as later amended and until repealed shall govern counties, except as counties shall exempt themselves by charter resolutions as herein provided for in subsection (b).

(b) (1) Any county may by charter resolution elect in the manner prescribed in this section that the whole or any part of any enactment of the legislature applying to such county, other than enactments of statewide concern applicable uniformly to all counties, other enactments applicable uniformly to all counties, and enactments prescribing limits of indebtedness, shall not apply to such county.

(2) A charter resolution is a resolution which exempts a county from the whole or any part of any enactment of the legislature as referred to in this section and which may provide substitute and additional provisions on the same subject. Such charter resolution shall be so titled, shall designate specifically the enactment of the legislature or part thereof made inapplicable to such county by the adoption of such resolution and contain the substitute and additional provisions, if any, and shall require a two-thirds vote of the members-elect of the governing body of such county. Every charter resolution shall be published once each week for two consecutive weeks in the official county newspaper or, if there is none, in a newspaper of general circulation in the county.

(3) No charter resolution shall take effect until 60 days after its final publication. If, within 60 days of its final publication, a petition signed by a number of electors of the county equal to not less than 10% of the number of electors who voted at the last preceding regular county election shall be filed in the office of the clerk of such county demanding that such resolution be submitted to a vote of the electors, it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon. An election, if called, shall be called within 30 days and held within 90 days after the filing of the petition. The governing body shall pass a resolution calling the election and fixing the date, which resolution shall be published once each week for three consecutive weeks in the official county newspaper or, if there be none, in a newspaper of general circulation in the county, and the election shall be conducted as elections for officers and by the officers handling such elections. The proposition shall be: "Shall charter resolution No. _____, entitled (title of resolution) take effect?" The governing body may submit any charter resolution to a referendum without petition by the same publication of the charter resolution, and the same publication of the resolution calling the election as for resolutions upon petition and such charter resolution shall then become effective when approved by a majority of the electors voting thereon. Each charter resolution becoming effective shall be recorded by the county clerk in a book maintained for that purpose with a statement of the manner of adoption, and a certified copy shall be filed with

the secretary of state, who shall keep an index of the same.

(4) Each charter resolution enacted shall control and prevail over any prior or subsequent act of the governing body of the county, and may be repealed or amended only by charter resolution or by enactments of the legislature applicable to all counties.

(c) Powers and authority granted to counties pursuant to this section shall be liberally construed for the purpose of giving to counties the largest measure of self-government.

(d) This amendment shall be effective on and after July 1, 2019."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. This amendment would provide a constitutional basis for county home rule. A county could enact a charter resolution to exempt itself from non-uniform state laws that apply to the county and provide substitute or additional provisions to that law. The legislature could preempt counties from exercising home rule powers by the passage of uniform state laws that apply to all counties in the exact same manner. Counties could pass home rule resolutions to legislate locally on matters not covered by state law.

"A vote for this proposition would empower counties to determine their local affairs and government with a constitutional grant of power that could only be preempted by enactments of the legislature that apply uniformly to all counties in the exact same way.

"A vote against this proposition would retain the present law granting counties home rule power and other both uniform and non-uniform laws pertaining to counties that can be readily amended by the legislature to restrict home rule powers by statute."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2068, HB 2072.**

Corrections and Juvenile Justice: **HB 2084, HB 2085, HB 2086, HB 2087, HB 2088, HB 2089, HB 2090, HB 2091, HB 2092, HB 2093.**

Education: **HB 2078.**

Elections: **HB 2075.**

Federal and State Affairs: **HB 2073, HB 2074, HB 2081.**

Judiciary: **HB 2069, HB 2070, HB 2071, HB 2077.**

Taxation: **HB 2082, HB 2083.**

Transportation: **HB 2076.**

Water and Environment: **HB 2079, HB 2080.**

MESSAGES FROM THE GOVERNOR

HB 2017 approved on January 18, 2017.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 2, by Representative Russ Jennings, congratulating the Garden City Community College Football Team for winning the National Junior College Athletic Association 2016 National Championship;

Request No. 3, by Representative Brenda Dietrich, commending Ethan L. Stanley for achieving the rank of Eagle Scout;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2026**, **HB 2027** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2103, AN ACT concerning insurance; relating to coverage for amino acid-based elemental formula; amending K.S.A. 2016 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Insurance.

HB 2104, AN ACT concerning insurance; relating to motor vehicle liability insurance; uninsured motorist coverage and underinsured motorist coverage; increasing the minimum policy limit for bodily injury; amending K.S.A. 40-284 and K.S.A. 2016 Supp. 40-3107 and repealing the existing sections, by Committee on Insurance.

HB 2105, AN ACT concerning property taxation; listing of oil and gas property, statement of assessment, date of filing; amending K.S.A. 2016 Supp. 79-332a and repealing the existing section, by Committee on Taxation.

HB 2106, AN ACT concerning treatment facilities; relating to license renewal; amending K.S.A. 2016 Supp. 65-4014 and repealing the existing section, by Committee on Health and Human Services.

HB 2107, AN ACT concerning public health; relating to the pharmacy act of the state of Kansas; pertaining to biological products; amending K.S.A. 65-669, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1637, 65-1637b, 65-1643, 65-2837a and 65-4202 and repealing the existing sections, by Committee on Health and Human Services.

HB 2108, AN ACT concerning the grandparents as caregivers act; relating to eligibility; foster child status; amending K.S.A. 2016 Supp. 38-145 and repealing the existing section, by Committee on Appropriations.

HB 2109, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of Kansas state university to sell certain real property in Riley county; authorizing the state board of regents on behalf of Wichita state university to exchange and convey certain real property in Sedgwick county, by Committee on Appropriations.

HB 2110, AN ACT concerning financial institutions; relating to trust companies; establishment of nonresident entities; requirements; amending K.S.A. 2016 Supp. 9-2111 and repealing the existing section, by Committee on Financial Institutions and Pensions.

HB 2111, AN ACT concerning retirements and pensions; relating to the Kansas police and firemen's retirement system; providing certain death benefits to surviving spouses; amending K.S.A. 74-4959 and repealing the existing section, by Committee on Financial Institutions and Pensions.

HB 2112, AN ACT concerning the Kansas program of medical assistance; providing eligibility thereunder for military veterans; income requirements; amending K.S.A. 2016 Supp. 39-709 and repealing the existing section, by Committee on Taxation.

HB 2113, AN ACT concerning firearms; relating to the personal and family protection act; providing certain exemptions for postsecondary educational institutions; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section, by Committee on Appropriations.

HB 2114, AN ACT concerning firearms; relating to the personal and family protection act; providing certain exemptions for community mental health centers; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section, by Committee on Appropriations.

HB 2115, AN ACT concerning employment; relating to fair consideration for persons with a record of criminal conviction, by Representative Finney.

HB 2116, AN ACT concerning the Kansas standard asset seizure and forfeiture act; relating to offenses giving rise to forfeiture; proceedings; disposition of property; reporting; amending K.S.A. 60-4106 and K.S.A. 2016 Supp. 60-4104, 60-4105, 60-4107, 60-4111, 60-4112 and 60-4117 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

REPORT ON ENROLLED BILLS

HB 2017 reported correctly enrolled, properly signed and presented to the Governor on January 18, 2017.

REPORT ON ENROLLED RESOLUTIONS

HCR 5001; **HR 6004** reported correctly enrolled and properly signed on January 18, 2017.

On motion of Rep. Hineman, the House adjourned pro forma until 9:00 a.m. on Friday, January 20, 2017.

Journal of the House

NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 20, 2017, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2117, AN ACT repealing K.S.A. 2016 Supp. 25-2711 dealing with political signs, by Representative Carmichael.

HB 2118, AN ACT concerning health care providers; relating to the health care provider insurance availability act; liability exceptions; provider exemptions; inactive provider coverage limits; inactive licensure of advanced practice registered nurses; amending K.S.A. 2016 Supp. 40-3401, 40-3408, 40-3424 and 65-1131 and repealing the existing sections, by Committee on Insurance.

HB 2119, AN ACT concerning insurance; relating to dental benefits; covered services; establishing non-covered services; amending K.S.A. 2016 Supp. 40-2,186 and repealing the existing section, by Committee on Health and Human Services.

HB 2120, AN ACT enacting the Kansas death with dignity act, by Committee on Health and Human Services.

HB 2121, AN ACT concerning the administration of vaccines; making certain reports relating thereto, by Committee on Health and Human Services.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2097, HB 2098, HB 2099, HB 2100.**

Appropriations: **HB 2108, HB 2109, HB 2113, HB 2114.**

Federal and State Affairs: **HB 2102, HCR 5004.**

Financial Institutions and Pensions: **HB 2110, HB 2111.**

Health and Human Services: **HB 2106, HB 2107.**

Insurance: **HB 2103, HB 2104.**

Judiciary: **HB 2101, HB 2115, HB 2116.**

Local Government: **HB 2094.**

Taxation: **HB 2105, HB 2112.**

Transportation: **HB 2095, HB 2096.**

COMMUNICATIONS FROM STATE OFFICERS

From Mark A. Bruce, Superintendent, Kansas Highway Patrol; pursuant to K.S.A. 60-4117, report regarding state forfeiture funds.

From Elaine Frisbie, Kansas Board of Regents; as directed by K.S.A. 76-717, annual report on exceptions to the minimum admission standards at state universities.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

REPORT ON ENROLLED RESOLUTIONS

HCR 5002 reported correctly enrolled and properly signed on January 20, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, January 23, 2017.

Journal of the House

TENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 23, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Reps. Schwab and Wolfe Moore were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God in Heaven,
 Thank You for a new week –
 a fresh new start for the work that lies ahead.
 As we face the challenges of the week,
 remind us often of Your words that You are
 already making it plain how to live, what to do,
 what *You* are looking for in each of us.
 It's quite simple: do what is fair and just to our neighbor,
 be compassionate and loyal in Your love.
 Don't take ourselves too seriously—
 but take You very seriously.
 Help each one to seek Your wisdom and guidance;
 act in Your power and strength,
 and give of the best of their ability.
 Please be with Rep. Wolfe Moore and her family
 in the passing of her mother.
 Bring comfort and grace to them today
 as they lean upon you for strength.
 This I ask in Christ's Name,
 Amen.
 (Micah 6:8, *The Message*)

The Pledge of Allegiance was led by Rep. Murnan.

INTRODUCTION OF GUESTS

There being no objection, the following remarks by Rep. Hoffman are spread upon the Journal:

Rahel Mogo joins us today from Ethiopia. Rahel is on a reverse trade mission to Kansas, learning about sorghum use in food grade products, food safety protocol and milling functions and qualities. She represents a food company called EthioGreen.

During her time in Kansas, Rahel has spent time with Nu-Life Market in Scott City, Heartland Mill and Country Oven Bakery in Marienthal, the Kansas Department of Agriculture, Kansas State University Sorghum and Millet Innovation Lab, AIB International (American Institute of Baking), and the Kansas Wheat Innovation Center.

The Kansas Department of Agriculture was the first state department of agriculture to visit Ethiopia and the outlook for increased exports from Kansas to Ethiopia is very promising.

We welcome Rahel to Kansas on a reverse trade mission and we look forward to future agriculture trade with Rahel and her home country of Ethiopia.

Ms. Mogo presented Ethiopian coffee to Rep. Hoffman.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Humphries are spread upon the Journal:

I rise to call our attention to the 44th Anniversary of Roe versus Wade, the United States Supreme Court decision of January 23, 1973, which removed all legal protections from pre-born children and has resulted in the loss of an estimated 59 million lives here in the U.S.

Constitutional law professors across the country have voiced the opinion that Roe was a serious Constitutional mistake, and that an all-male court invented a right to abortion that is hard to justify based on the Constitution's text, specifically the Due Process Clause of the 14th Amendment.

That is the attorney in me speaking. But the woman in me goes to a deeper place. We all heard much this weekend about the Women's March on Washington . . . and this portion of their mission statement resonates deeply with me: "We stand together, recognizing that defending the most marginalized among us is defending all of us." Who is the most marginalized? The most vulnerable? Certainly women are in a hard place as they experience an unwanted pregnancy—we need to care for those women. And the women in their mother's womb—the unwanted, the unborn, the voiceless—are in a hard place. The most vulnerable place.

Science has advanced our understanding of life in the womb in these last 45 years. The millennial generation has become the most pro-life generation. Millions of women (and men) deal with post-abortive difficulties and we need to care for them with deep compassion.

We in this chamber believe in human dignity and worth, and work diligently to that end. Therefore, there is much we can agree on. As we heard so eloquently last week, Martin Luther King Jr.'s message and the civil rights movement in the U.S. reverberated all over the world. May our care and concern for human dignity and worth also

reverberate across the globe as we defend the marginalized and the victims of Roe v. Wade.

Please join me and other Kansans on the south steps of the capitol at 12:45 to give voice to the voiceless and to defend those in hard places.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2122, AN ACT concerning commerce; relating to certain equipment; creating the fair repair act, by Committee on Federal and State Affairs.

HB 2123, AN ACT concerning the Kansas act against discrimination and acts supplemental thereto; relating to sexual orientation and gender identity; amending K.S.A. 12-16,107, 44-1001, 44-1004, 44-1009, 44-1015, 44-1016, 44-1017, 44-1027 and 44-1030 and K.S.A. 2016 Supp. 44-1002, 44-1005 and 44-1006 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2124, AN ACT concerning medical student and resident loan assistance; relating to medical student loan agreements; practice commitment agreements; providing for agreements for the practice of psychiatry; amending K.S.A. 76-387 and K.S.A. 2016 Supp. 76-381, 76-383 and 76-384 and repealing the existing sections, by Committee on Health and Human Services.

HB 2125, AN ACT concerning public benefit corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 2016 Supp. 17-6014, 17-6712, 17-7903 and 17-7919 and repealing the existing sections, by Committee on Judiciary.

HB 2126, AN ACT concerning trust instruments; relating to mediation or arbitration of disputes, by Committee on Judiciary.

HB 2127, AN ACT concerning the Kansas probate code; relating to transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary; amending K.S.A. 2016 Supp. 59-3504 and repealing the existing section, by Committee on Judiciary.

HB 2128, AN ACT concerning the Kansas open meetings act; relating to closed or executive meetings; governor's domestic violence fatality review board; amending K.S.A. 2016 Supp. 75-4319 and repealing the existing section, by Committee on Judiciary.

HB 2129, AN ACT concerning the department of administration; relating to energy audits; requirements; amending K.S.A. 2016 Supp. 75-37,128 and repealing the existing section, by Committee on General Government Budget.

HB 2130, AN ACT concerning the department of administration; relating to certain state contracts; amending K.S.A. 75-3743 and 75-3744 and repealing the existing sections, by Committee on General Government Budget.

HB 2131, AN ACT concerning sales taxation; relating to exemptions, food and food ingredients; amending K.S.A. 2016 Supp. 79-3602 and 79-3606 and repealing the existing sections, by Representative Miller.

HB 2132, AN ACT concerning the Kansas commission on veterans affairs office; relating to drug screening programs; safety sensitive positions; amending K.S.A. 2016 Supp. 75-4362 and repealing the existing section, by Committee on Veterans and Military.

HB 2133, AN ACT concerning the joint estimate of revenue; amending K.S.A. 2016 Supp. 75-6701 and repealing the existing section, by Committee on Appropriations.

HB 2134, AN ACT concerning agriculture; relating to the Kansas department of agriculture; certain fees; amending K.S.A. 2016 Supp. 2-1205, 2-2204, 2-2212, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-2464a, 2-2469, 2-3304, 2-3306, 82a-303b, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing sections, by Committee on Agriculture.

HB 2135, AN ACT concerning agriculture; relating to fees for milk, cream and dairy businesses; authorizing the Kansas secretary of agriculture to collect a fee for processing paper documents; amending K.S.A. 74-576 and K.S.A. 2016 Supp. 65-778 and 65-781 and repealing the existing sections, by Committee on Agriculture.

HB 2136, AN ACT concerning weights and measures; relating to service companies; technical representatives; amending K.S.A. 2016 Supp. 83-402 and repealing the existing section, by Committee on Agriculture.

HOUSE CONCURRENT RESOLUTION No. **HCR 5005**—

By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION making application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government.

WHEREAS, The founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, The federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, The federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, The federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

WHEREAS, It is the solemn duty of the states to protect the liberty of our people — particularly for the generations to come — by proposing amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore,

Be it resolved by the Legislature of the state of Kansas, two-thirds of the members elected (or appointed) to the House of Representatives and two-thirds of the members elected (or appointed) to the Senate concurring therein: The legislature of the state of Kansas hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for its officials and for members of Congress; and

Be it further resolved: This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made application on the same subject; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to the President and Secretary of the United States Senate and the Speaker and the Clerk of the United States House of Representatives, to the members of the United States Senate and the United States House of Representatives from this state and to the presiding officers of each of the legislative chambers in the several states.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Elections: **HB 2117**.

Health and Human Services: **HB 2119**, **HB 2120**, **HB 2121**.

Insurance: **HB 2118**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6005**—

By Representatives Aurand, Dierks, Arnberger, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Concannon, Cox, Crum, Curtis, Davis, DeGraaf, Dietrich, Dove, Elliott, Finch, Finney, Gallagher, Garber, Gartner, Good, Helgerson, Highberger, Hodge, Hoffman, Holscher, Jennings, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, Patton, Phelps, Pittman, Proehl, Rahjes, Ralph, Rooker, Sawyer, Schreiber, Stogsdill, Sutton, Tarwater, Terrell, Trimmer, Vickrey, Victors, Ward, Weber, Whitmer, Williams, Wilson, Winn and Wolfe Moore

A RESOLUTION congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program, which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state. The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers — one elementary and one secondary — in each of the state's four United States congressional districts were selected as finalists for recognition as the Kansas Teacher of the Year, with the winner being chosen from among the eight finalists. The Kansas Teacher of the Year is awarded the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities supporting the mission of the program. The 2017 Kansas Teacher of the Year and the finalists were honored at an awards banquet on November 19, 2016. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers, presented by Voya Financial; and

WHEREAS, The 2017 Kansas Teacher of the Year is Jason Sickel, Blue Valley USD 229; and the regional finalists are Kristine A. Bruce, Auburn-Washburn USD 437; Jennifer M. Farr, Geary County USD 475; Jonathan Ferrell, Shawnee Mission USD 512; Crystal May, Maize USD 266; Maret Schrader, Seaman USD 345; Lori J. Stratton, Wamego USD 320; and Brent M. Wolf, USD 260: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the members of the 2017 Kansas Teacher of the Year team and wish Mr. Sickel success in the national competition; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send eight enrolled copies of this resolution to the Commissioner of Education for forwarding to the members of the 2017 Kansas Teacher of the Year team.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Wolfe Moore on Committee on Appropriations for January 24, 25 and 26.

Also, Rep. Frownfelter is appointed to replace Rep. Wolfe Moore on Committee on Taxation for January 24, 25 and 26.

REPORT ON ENGROSSED BILLS

HB 2017 reported correctly engrossed January 18, 2017.

REPORT ON ENGROSSED RESOLUTIONS

HCR 5002 reported correctly engrossed January 18, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, January 24, 2017.

Journal of the House

ELEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 24, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Winn was excused on legislative business.

Rep. Wolfe Moore was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
Thank You for Your faithfulness and unfailing love.
Today I ask that You give to these Your leaders,
the ability to recognize that the day is full of promise.
In their conversations and discussions,
I ask that Your Spirit give them harmony and unity.
Yes, there will be differences of perspective and opinion,
but help them to remember that if everyone sang the same note,
there wouldn't be any harmony.
In 2 Chronicles, Your Word admonishes
"...the hand of God was on the people
to give them unity of mind to carry out
what the king and his officials had ordered,
following the word of the Lord."
It is this spirit of unity that I ask You
to bestow upon these leaders today.
Amen.
(2 Chronicles 30:12)

The Pledge of Allegiance was led by Rep. Jacobs.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2137, AN ACT concerning cities and counties; dealing with certain volunteer activities of governing body members; amending K.S.A. 19-205 and repealing the existing section, by Committee on Local Government.

HB 2138, AN ACT concerning fire safety codes and school lockdown procedures, by Committee on Local Government.

HB 2139, AN ACT concerning the Kansas dental board; relating to licensure of dental therapists; amending K.S.A. 65-1421, 65-1441, 65-1449, 65-1460, 65-1462, 74-1404 and 74-1406 and K.S.A. 2016 Supp. 65-1424, 65-1431, 65-1434, 65-1436, 65-1447, 65-1469, 65-4915, 65-4921, 65-5912, 65-7304, 74-1405, 75-2935 and 75-6102 and repealing the existing sections, by Committee on Health and Human Services.

HB 2140, AN ACT concerning firefighting; relating to interstate compacts; great plains interstate fire compact, by Committee on Federal and State Affairs.

HB 2141, AN ACT concerning alcoholic beverages; relating to licensure of manufacturers and drinking establishments; amending K.S.A. 41-2632 and K.S.A. 2016 Supp. 41-2623 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2134, HB 2135, HB 2136.**

Appropriations: **HB 2133.**

Federal and State Affairs: **HB 2122, HB 2123, HCR 5005.**

General Government Budget: **HB 2129, HB 2130.**

Health and Human Services: **HB 2124.**

Judiciary: **HB 2125, HB 2126, HB 2127, HB 2128.**

Taxation: **HB 2131.**

Veterans and Military: **HB 2132.**

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2108** from Committee on Appropriations and referral to Committee on Children and Seniors.

COMMUNICATIONS FROM STATE OFFICERS

From Mike Michael, Director, State Employee Health Plan, Division of Health Care Finance, Kansas Department of Health and Environment; in compliance with K.S.A. 75-6509, the Kansas State Employees Health Care Commission 2016 Annual Report.

From Robin Jennison, Secretary of Kansas Department of Wildlife, Parks & Tourism; Division of Tourism Annual Report FY16.

From Kansas State Department of Education, Early Childhood, Special Education and Title Services, according to K.S.A. 72-89b01 to -89b05; information related to school safety and security for the 2015-2016 school year.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Dietrich, **HR 6005**, A RESOLUTION congratulating and commending the members of the 2017 Kansas Teacher of the Year team, was adopted.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Dietrich are spread upon the Journal:

It is my honor, on behalf of the 490,000 students in our public school classrooms in this great state of Kansas and the House Education Committee, to introduce to you some remarkable educators who are simply great teachers.

They love what they do. They challenge their students to do more, to be more, and to expect more.

They are deeply caring, committed, and talented educators who believe in the power of public education to make a positive difference in the lives of their students.

This is a group of extraordinary teachers that we honor here today. In the course of their careers, they have left a lasting impact on the lives of the thousands of students they have taught, and on the communities in which they teach.

Mr. Speaker and fellow Representatives, I present to you the 2017 Kansas Teacher of the Year Team. It is my honor to introduce the Kansas Teacher of the Year team to you.

Kristi Bruce, a 4th grade teacher from Auburn Elementary in the Auburn-Washburn School District.

Jennifer Farr, a 5th grade teacher from Lincoln Elementary School in the Geary County School District, Junction City.

Johnathan Ferrell, a 6th grade science teacher from the Shawnee Mission School District at Briarwood Elementary School.

Crystal May, a 4th grade Math, Science, and Social Studies teacher in the Maize School District at Pray-Woodman Elementary School.

Maret Schrader, a high school language arts teacher at Seaman High School in the Seaman School District.

Lori Stratton, a high school English and reading teacher at Wamego High School in the Wamego School District.

Brent Wolf, a 6th grade English Language Arts teacher at Derby North Middle School in the Derby School District.

Lastly, our 2017 Kansas Teacher of the Year. Jason Sickel. Jason is a high school vocal music teacher at Blue Valley North High School in the Blue Valley School District.

Please join me in recognizing these exceptional teachers.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2002** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2142, AN ACT concerning school districts; establishing an employee health care benefits program, by Committee on K-12 Education Budget.

HB 2143, AN ACT concerning school districts; relating to the department of administration; procurement of certain items and services; amending K.S.A. 2016 Supp. 72-6760 and repealing the existing section, by Committee on K-12 Education Budget.

HB 2144, AN ACT concerning state employees; relating to classified and unclassified employees; amending K.S.A. 2016 Supp. 75-2935 and repealing the existing section, by Committee on Appropriations.

HB 2145, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms, unlawful possession thereof; amending K.S.A. 2016 Supp. 21-6301 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2146, AN ACT concerning property taxation; relating to exemptions, certain property used for educational or scientific purposes; amending K.S.A. 2016 Supp. 79-201a and repealing the existing section, by Committee on Taxation.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, January 25, 2017.

Journal of the House

TWELFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, January 25, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Rep. Kiegerl was excused on verified illness.

Rep. Wolfe Moore was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving Father God,
Thank you for another day full of
Your mercies and blessings.
I ask for Your blessing and inspiration
as our leaders work together toward a common goal.
May they be united in the spirit of mutual respect
in the exchange of ideas and goals—
not as individual entities,
but as a community working for the greater good.
Help them to fix their thoughts on what is
true, and honorable, and right, and pure.
Give them a productive day bathed in a
spirit of cooperation, collaboration,
communication and commitment.
May this not be for their glory and success,
but for all honor and glory to be given to You.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Clark.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Wilson are spread upon the Journal:

Good morning, colleagues. This year we are committed to using the House Health Committee as an opportunity to educate all of us here in the Kansas Legislature about

health and health-related issues. Today we want to draw your attention to an important aspect of health policy: oral health and access to dental care.

Oral health is essential to overall health. Anything that happens in our mouth can affect our entire body. Untreated dental problems can lead to major medical problems, such as heart disease, diabetes, and stroke.

Unfortunately, the state of Kansas has a shortage of dental providers. Currently 87 of our 105 counties are classified as dentally underserved. Children, the elderly, those with disabilities, and those with KanCare insurance or no insurance face additional challenges to access dental care.

Today, over 160 dental health professionals, service providers, and advocates join us in the Kansas Statehouse to raise awareness of the importance of access to dental care. They are here because they are passionate about making sure that every Kansan can get the oral health care that they need to be healthy.

The Kansas Dental Project's Advocacy Day is an opportunity for them to visit with their elected officials about the importance of access to dental care for every Kansan in every part of our state. We are glad that they are here, we appreciate their message, and we commend them for their advocacy.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2147, AN ACT concerning veterans; relating to Native American veterans' income tax settlement claims; authorizing a study of such claims, by Representatives Victors and Highberger.

HB 2148, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the autism awareness license plate, by Committee on Transportation.

HB 2149, AN ACT concerning social work; creating the social work examining committee within the behavioral sciences regulatory board; providing the powers, duties and functions thereof; amending K.S.A. 65-6302, 65-6303, 65-6306, 65-6308, 65-6317 and 65-6319 and K.S.A. 2016 Supp. 22-4612, 59-2132, 59-2946, 65-6309, 65-6309a, 65-6311, 65-6616 and 74-7501 and repealing the existing sections, by Committee on Health and Human Services.

HB 2150, AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed firearms in certain buildings; amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section, by Committee on Health and Human Services.

HB 2151, AN ACT concerning health and healthcare; relating to health insurance; prescription medication; step therapy protocols, by Committee on Health and Human Services.

HB 2152, AN ACT concerning health and healthcare; relating to medical hemp preparation treatments for certain medical conditions; establishing registration of patients and preparation centers; protecting from arrest, prosecution or discrimination for authorized use, by Committee on Health and Human Services.

HB 2153, AN ACT concerning certain state agencies; relating to the transfer of fees; notification of such transfer; amending K.S.A. 75-3036 and repealing the existing section, by Committee on Judiciary.

HB 2154, AN ACT concerning the Kansas program of medical assistance; expanding eligibility therefor; amending K.S.A. 2016 Supp. 39-709 and repealing the existing section, by Representative Ward.

HB 2155, AN ACT concerning state governmental ethics; relating to lobbying restrictions; amending K.S.A. 46-232 and repealing the existing section, by Representative Ward.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2144**.

Education: **HB 2142, HB 2143**.

Federal and State Affairs: **HB 2140, HB 2141, HB 2145**.

Health and Human Services: **HB 2139**.

Local Government: **HB 2137, HB 2138**.

Taxation: **HB 2146**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Highland in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Highland, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2026** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2038** be passed.

Committee on **Health and Human Services** recommends **HB 2045** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2156, AN ACT concerning crimes, punishment and criminal procedure; relating to the criminal use of weapons; amending K.S.A. 2016 Supp. 21-6301 and repealing the existing section, by Representative Ward.

HB 2157, AN ACT concerning elections; enacting the help Kansas vote act; concerning the crime of perjury; amending K.S.A. 2016 Supp. 21-5903 and 25-2309 and repealing the existing sections, by Representative Ward.

HB 2158, AN ACT concerning elections; dealing with advance voting procedures; amending K.S.A. 25-1132, 25-1133, 25-1134 and 25-1136 and K.S.A. 2016 Supp. 25-3107 and repealing the existing sections, by Representative Miller.

HB 2159, AN ACT concerning elections; dealing with voter registration; amending K.S.A. 2016 Supp. 25-2203, 25-2309 and 65-2418 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 25-2358, by Representative Miller.

HB 2160, AN ACT concerning the individual development account program act; relating to certain expenditures by individuals who were likely to age out of foster care; amending K.S.A. 2016 Supp. 74-50,202, 74-50,204, 74-50,205 and 74-50,206 and repealing the existing sections, by Committee on Children and Seniors.

HB 2161, AN ACT concerning state finances; relating to the investments and reinvestments of state moneys; transfers to and from the state general fund; amending K.S.A. 2016 Supp. 75-2263, 75-4209 and 75-4234 and repealing the existing sections, by Committee on Appropriations.

HB 2162, AN ACT concerning sales taxation; relating to time for payment of tax; amending K.S.A. 2016 Supp. 79-3607 and repealing the existing section, by Committee on Taxation.

HB 2163, AN ACT concerning income taxation; relating to credits, certain contributions to technical colleges; amending K.S.A. 2016 Supp. 79-32,261 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2164, AN ACT concerning community college boards of trustees; providing an additional member to the Cowley county community college board of trustees; amending K.S.A. 71-1403 and repealing the existing section, by Committee on Education.

HB 2165, AN ACT concerning schools; relating to ethnic studies, by Committee on Education.

HB 2166, AN ACT concerning electricity; relating to vehicle charging stations; amending K.S.A. 66-1,170 and K.S.A. 2016 Supp. 66-104 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

HB 2167, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; amending K.S.A. 2016 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-3717, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 21-5401, 21-6614g, 21-6614h, 21-6617 and 21-6619, by Representatives Becker, Arnberger, Carmichael, Concannon, Dierks, Henderson, Highberger, Hodge, Houser, Kessinger, Koesten, Kuether, Phelps, Sawyer and Sutton.

HB 2168, AN ACT concerning rural economic development; enacting the ad astra rural jobs act, by Representatives Waymaster, Claeys, Concannon, E. Davis and Hoffman.

HB 2169, AN ACT concerning the Kansas program of medical assistance; process and contract requirements; claims appeals, by Committee on Health and Human Services.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2142**, **HB 2143** from Committee on Education and referral to Committee on K-12 Education Budget.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Ward on the Committee on Appropriations on January 26.

Also, Rep. Wolfe Moore will resume her position on Committee on Appropriations on January 30.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, January 26, 2017.

Journal of the House

THIRTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 26, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Rep. Kiegerl was excused on verified illness.

Reps. Becker, Henderson, Pittman and Wolfe Moore were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,
Thank You again for another day of life
full of possibilities and opportunities.
Thank You for the privilege of being used by You
in the decision making that impacts so many.
These leaders need Your help in being sure
that they diligently learn, know and understand
that which they ought to do.
At the same time, grant them grace along with the power
to faithfully accomplish the tasks before them.
Enlighten the eyes of their heart,
give them revelation and wisdom,
but most of all give them a spirit of humility
in recognizing they are servants of those they represent.
I ask this in Your Son's Name,
Amen.

The Pledge of Allegiance was led by Rep. Highland

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2170, AN ACT concerning bicycles; relating to safety equipment; lamps and reflectors; amending K.S.A. 8-1592 and repealing the existing section, by Committee on Transportation.

HB 2171, AN ACT concerning school districts; creating the student privacy and protection act, by Committee on Federal and State Affairs.

HB 2172, AN ACT concerning marriage; relating to the recognition of marriages; amending K.S.A. 2016 Supp. 23-2501, 23-2504 and 23-2508 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2173, AN ACT concerning gaming; relating to the Kansas expanded lottery act; making and concerning appropriations for the fiscal year ending June 30, 2018, for the Kansas lottery; relating to the state debtor setoff program; relating to horse and greyhound racing; amending K.S.A. 74-8836 and K.S.A. 2016 Supp. 74-8734, 74-8741, 74-8744, 74-8746, 74-8747, 74-8766, 74-8814 and 75-6204 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2174, AN ACT concerning veterans; relating to disabled veteran license plate eligibility; amending K.S.A. 2016 Supp. 8-160 and repealing the existing section, by Committee on Veterans and Military.

HB 2175, AN ACT concerning veterans; relating to disclosure for veterans' benefits and entitlements, by Committee on Veterans and Military.

HB 2176, AN ACT concerning sexual assault evidence collection examinations; relating to parental notification; amending K.S.A. 2016 Supp. 65-448 and repealing the existing section, by Committee on Judiciary.

HB 2177, AN ACT concerning sales and compensating use tax; relating to sourcing of sales, origin sourcing; amending K.S.A. 2016 Supp. 79-3669 and 79-3670 and repealing the existing sections, by Committee on Taxation.

HB 2178, AN ACT concerning income tax; relating to rates; itemized deductions, certain medical expenses; amending K.S.A. 2016 Supp. 79-32,110 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5006**—

By Committee on Federal and State Affairs

A PROPOSITION to repeal section 16 of article 15 of the constitution of the state of Kansas, relating to marriage.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 16 of article 15 of the constitution of the state of Kansas is hereby repealed.

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The constitution of the state of Kansas shall be amended by repealing in its entirety section 16 of article 15, which provides that marriage is constituted by one man and one woman only.

"A vote for this proposition would repeal section 16 of article 15 of the constitution of the state of Kansas in its entirety.

"A vote against this proposition would leave section 16 of article 15 of the constitution of the state of Kansas as it currently exists."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2017, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2161**.

Children and Seniors: **HB 2160**.

Commerce, Labor and Economic Development: **HB 2163, HB 2168**.

Corrections and Juvenile Justice: **HB 2167**.

Education: **HB 2164, HB 2165**.

Elections: **HB 2155, HB 2157, HB 2158, HB 2159**.

Energy, Utilities and Telecommunications: **HB 2166**.

Federal and State Affairs: **HB 2150, HB 2156**.

Health and Human Services: **HB 2149, HB 2151, HB 2152, HB 2154, HB 2169**.

Judiciary: **HB 2153**.

Taxation: **HB 2162**.

Transportation: **HB 2148**.

Veterans and Military: **HB 2147**.

COMMUNICATIONS FROM STATE OFFICERS

From Alexandra Blasi, JD, MBA, Executive Secretary, Kansas Board of Pharmacy; pursuant to K.S.A. 65-4102(b), Report on Substances Proposed for Scheduling, Rescheduling or Deletion.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2026, AN ACT concerning the board of nursing; reinstatement of licenses; fees; amending K.S.A. 2016 Supp. 65-1118 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 14; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Helgeson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell,

Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn.

Nays: Blex, B. Carpenter, Corbet, DeGraaf, Frownfelter, Garber, Houser, K. Jones, Landwehr, Mason, Neighbor, Sutton, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Becker, Henderson, Kiegerl, Pittman, Wolfe Moore.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Huebert in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Huebert, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2025**, **HB 2027**, **HB 2028** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2055** be passed.

Committee on **Insurance** recommends **HB 2043** be passed.

Committee on **Local Government** recommends **HB 2006** be amended on page 1, in line 29, by striking all before the period and inserting "section 2, and amendments thereto"; in line 30, by striking all after "(d)"; by striking all in lines 31 through 36;

On page 2, in line 1, by striking all before "The"; following line 12, by inserting:

"New Sec. 2. (a) The governor, within five days of the election expanding the size of the board of county commissioners as provided in K.S.A. 19-204(c), and amendments thereto, shall declare the date of the special election required under K.S.A. 19-203(c), and amendments thereto. The vacancy election shall be on a day not less than 75 days nor more than 90 days from the date of the election approving the expansion of such county commission.

(b) The county chairperson of each political party that has obtained official recognition shall call a convention for a date not less than 15 days and not more than 25 days after the governor's declaration. Such party shall nominate a candidate to fill the vacancy that has occurred due to the expansion of the size of the board of county commissioners.

(c) Independent candidates may be nominated by petition of not less than 5% of the qualified electors within the county commission district. Any such petition shall be filed with the county election officer within 25 days of the governor's declaration.";

And by renumbering sections accordingly; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 4, by Representative Kyle Hoffman, congratulating Gina Hoffman on selection as South-Central Kansas Special Education Cooperative Teacher of the Year for 2016;

Request No. 5, by Representative Bill Sutton, commending Andrew Charles Boline for achieving the rank of Eagle Scout;

Request No. 6, by Representative Bill Sutton, commending Benjamin Paul Saw-check for achieving the rank of Eagle Scout;

Request No. 7, by Representative Nancy Lusk, congratulating Broadmoor Bistro students, Chef Brassard and Chef Hoffman for being one of USA Today's Top 10 Slow Food Restaurants that are Sustainable & Scrumptious and for winning the 2016 CAFSE Leadership Innovation Award;

Request No. 8, by Representative Susan Concannon, congratulating Douglas R. Daugherty on his retirement after 42 years in law enforcement and 32 years as Mitchell County Sheriff;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2179, AN ACT concerning teachers; relating to contracts; amending K.S.A. 2016 Supp. 72-5436, 72-5438, 72-5439 and 72-5445 and repealing the existing sections, by Representatives Crum, S., Stogsdill, Alcala, Arnberger, Ballard, Bishop, Burroughs, Carlin, Carmichael, Curtis, Deere, Elliott, Ellis, Finney, Frownfelter, Gartner, Good, Henderson, Highberger, Hodge, Holscher, Kessinger, Koesten, Kuether, Lusk, Lusker, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Sawyer, Smith, A., Tarwater, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Winn and Wolfe Moore.

HB 2180, AN ACT concerning health maintenance organizations; relating to privilege fees; rate; disposition of moneys; extending the medical assistance fee fund; amending K.S.A. 2016 Supp. 40-3213 and 40-3236 and repealing the existing sections, by Committee on Appropriations.

HB 2181, AN ACT concerning sexual assault evidence collection kits; relating to law enforcement inventory of untested kits; reporting, by Representative Burroughs.

HB 2182, AN ACT concerning economic development; relating to agribusiness development of an industrial hemp industry; enacting the Kansas agricultural industry growth act; amending K.S.A. 2016 Supp. 21-5702 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2183, AN ACT concerning employment; relating to pay statements; amending K.S.A. 44-320 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2184, AN ACT concerning economic development; relating to the STAR bonds financing act; historic theater project costs; establishment of district; adverse effects on county or school district; certain notices; approval for transient guest tax funding; sunset date of the act; amending K.S.A. 2016 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171, 12-17,177 and 12-17,179 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

HB 2185, AN ACT concerning employment; relating to local government control over wages, compensation or benefits for construction projects; amending K.S.A. 2016 Supp. 12-16,132 and 19-26,114 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-16,131, by Committee on Commerce, Labor and Economic Development.

HB 2186, AN ACT concerning arbitration; enacting the uniform arbitration act of 2000; amending K.S.A. 50-6,100 and 66-1712 and repealing the existing sections; also repealing K.S.A. 5-401, 5-402, 5-403, 5-404, 5-405, 5-406, 5-407, 5-408, 5-409, 5-410, 5-411, 5-412, 5-413, 5-414, 5-415, 5-416, 5-417, 5-418, 5-419, 5-420, 5-421 and 5-422, by Committee on Judiciary.

HB 2187, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or volunteering therein; background checks; amending K.S.A. 2016 Supp. 65-516 and repealing the existing section, by Committee on Children and Seniors.

HB 2188, AN ACT regulating traffic; concerning right-of-way violations; providing for increased penalties in certain cases, by Committee on Transportation.

HB 2189, AN ACT concerning oil and gas wells; protecting surface owners' property rights; amending K.S.A. 2016 Supp. 55-151 and repealing the existing section, by Committee on Water and Environment.

HB 2190, AN ACT concerning electricity; sale of renewable energy; public utility, definitions, exceptions; amending K.S.A. 66-1,170 and K.S.A. 2016 Supp. 66-104 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

HB 2191, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to licenses, permits, stamps and other issues of the department; citations; amending K.S.A. 2016 Supp. 32-1001, 32-1041 and 32-1049 and repealing the existing sections, by Committee on Agriculture.

HB 2192, AN ACT renaming Lake Scott state park; amending K.S.A. 2016 Supp. 32-837 and repealing the existing section, by Committee on Agriculture.

HB 2193, AN ACT concerning boating and water activities; relating to boating safety education; amending K.S.A. 2016 Supp. 32-1139 and repealing the existing section, by Committee on Agriculture.

HB 2194, AN ACT concerning motor vehicles; relating to motorcycles; license fees; location for safety courses; amending K.S.A. 2016 Supp. 8-240 and 8-272 and repealing the existing sections, by Committee on Transportation.

HB 2195, AN ACT concerning the Kansas board of examiners in fitting and dispensing of hearing instruments; transferring the powers, duties and functions of the board to the secretary for aging and disability services; amending K.S.A. 74-5803 and K.S.A. 2016 Supp. 74-5804, 74-5805, 74-5806, 74-5807, 74-5808, 74-5810a, 74-5811, 74-5812, 74-5813, 74-5814, 74-5815, 74-5816, 74-5818, 74-5820, 74-5821, 74-5825 and 74-5826 and repealing the existing sections, by Committee on Health and Human Services.

REPORT ON ENGROSSED BILLS

HR 6005 reported correctly engrossed January 25, 2017.

On motion of Rep. Hineman the House adjourned pro forma until 9:00 a.m. on Friday, January 27, 2017.

Journal of the House

FOURTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, January 27, 2017, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2196, AN ACT concerning veterans; relating to the veterans benefit lottery game; disposition of net profits; establishing the veterans benefit lottery game fund and the national guard benefit lottery game fund; amending K.S.A. 2016 Supp. 74-8724 and repealing the existing section, by Committee on Veterans and Military.

HB 2197, AN ACT concerning criminal procedure; relating to trials; trial jurors; amending K.S.A. 22-3408 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2191, HB 2192, HB 2193.**

Appropriations: **HB 2180.**

Children and Seniors: **HB 2187.**

Commerce, Labor and Economic Development: **HB 2182, HB 2183, HB 2184, HB 2185.**

Corrections and Juvenile Justice: **HB 2181.**

Education: **HB 2179.**

Energy, Utilities and Telecommunications: **HB 2190.**

Federal and State Affairs: **HB 2171, HB 2172, HB 2173, HCR 5006.**

Health and Human Services: **HB 2195.**

Judiciary: **HB 2176, HB 2186.**

Taxation: **HB 2177, HB 2178.**

Transportation: **HB 2170, HB 2188, HB 2194.**

Veterans and Military: **HB 2174, HB 2175.**

Water and Environment: **HB 2189.**

MESSAGES FROM THE GOVERNOR**MESSAGE FROM THE GOVERNOR
REGARDING COMPACT WITH TRIBAL NATION**

In consultation with the Attorney General and the Department of Revenue, and pursuant to my authority under Article 1, Section 3 of the Constitution of the State of Kansas, I have entered into the following Compact:

Compact Relating to Cigarette and Tobacco Sales, Taxation and Escrow Collection with the Kickapoo Tribe in Kansas as of December 21, 2016.

I hereby give notice of this executive action and transmit the Compact to the Legislature for the required approval pursuant to applicable law.

Dated: January 24, 2017

SAM BROWNBACK
Governor of Kansas

**COMPACT RELATING TO CIGARETTE AND TOBACCO SALES,
TAXATION AND ESCROW COLLECTION**

THIS COMPACT RELATING TO CIGARETTE AND TOBACCO SALES, TAXATION AND ESCROW COLLECTION (“**Compact**”) is entered into between the Kickapoo Tribe in Kansas (along with its agencies, boards, commissions and political subdivisions, the “**Tribe**”) and the State of Kansas (along with its agencies, boards, commissions and political subdivisions, the “**State**”). The Tribe and the State are each referred to herein as a “**Party**” and collectively referred to herein as the “**Parties**.”

Recitals

WHEREAS, the Tribe is a federally-recognized Indian tribe possessing and exercising inherent sovereign powers of self-government, as defined and recognized by treaties, federal laws and federal court decisions, and that it has responsibilities and needs similar to other governments;

WHEREAS, the State is a state within the United States of America possessing and exercising full powers of state government, as defined and recognized by the United States Constitution, federal laws, federal court decisions, the Kansas Constitution, State laws and State court decisions, and that it has responsibilities and needs similar to other governments;

WHEREAS, both the State and the Tribe recognize that pursuant to applicable law each is a sovereign with dominion over their respective territories and governments and that entry into this Compact is not intended nor shall it be construed to cause the sovereignty of either to be diminished;

WHEREAS, the Tribe is situated on and occupies a federally-established Indian Reservation situated within the borders of the State;

WHEREAS, federal law recognizes that tribal jurisdiction exists on Qualified Tribe Lands regarding the rights of the Tribe to pass its own laws and be governed by them;

WHEREAS, it is in the best interests of both the State and the Tribe to prevent disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes and other Tobacco Products, including but not limited to taxation and escrow collection, in the State of Kansas, on Compact Lands;

WHEREAS, each of the State and the Tribe recognize the financial, cultural, educational, and economic contributions of the other;

WHEREAS, each of the State and the Tribe respects the sovereignty of the other, and recognizes and supports the other's governmental responsibilities to provide for and govern its citizens, members and territory; the State recognizes the Tribe's inherent sovereign right to existence, self-government and self-determination; and the Tribe recognizes the State's inherent sovereign right to existence, self-government and self-determination;

WHEREAS, the Parties are of the opinion that cooperation between the Tribe and the State is mutually productive and beneficial and recognize the need to develop and maintain good Tribal-State governmental relations;

WHEREAS, it is in the best interests of the State to continue to reduce the financial burdens imposed on the State by Cigarette smoking and that said costs continue to be borne by Tobacco Product Manufacturers rather than by the State to the extent that such Tobacco Product Manufacturers either determine to enter into a settlement with the State or are found culpable by the courts;

WHEREAS, on November 23, 1998, the State became party to the MSA;

WHEREAS, certain Tobacco Product Manufacturers, which are party to the MSA, are obligated, in return for a release of past, present and certain future claims against them as described therein, to pay substantial sums to State (tied in part to their volume of Sales); to fund a national foundation devoted to the interests of public health; and to make substantial changes in their advertising and marketing practices and corporate culture, with the intention of reducing underage smoking;

WHEREAS, it would be contrary to the policy of State if Tobacco Product Manufacturers who determine not to enter into such a settlement could use a resulting cost advantage to derive large, short-term profits in the years before liability may arise without ensuring that State will have an eventual source of recovery from them if they are proven to have acted culpably;

WHEREAS, the State entered into a Secondary Settlement Agreement with certain participating Tobacco Product Manufacturers in 2012 settling State's obligations under the MSA and disputes regarding certain payment adjustments under the MSA with

respect to NPMs (as that term is defined below) for calendar years 2003-2012;

WHEREAS, as part of said Secondary Settlement Agreement, State has agreed to undertake certain diligent enforcement efforts of its Cigarette and other Tobacco Product laws and more specifically, its MSA laws on Qualified Tribal Lands within the borders of State;

WHEREAS, State recognizes the importance to State of forming an alliance with Tribe to assist State in its diligent enforcement efforts;

WHEREAS, State further recognizes that the Tribe will incur certain economic costs in assisting State in its diligent enforcement efforts which Tribe should not be required to endure;

WHEREAS, it is altogether just and proper that State compensate the Tribe for its assistance to State in State's diligent enforcement obligation under the MSA and the Secondary Settlement Agreement; and

WHEREAS, the State and the Tribe agree that it will serve the interests of both the State and the Tribe for the Tribe to be able to generate revenue for governmental purposes through the collection of certain Tribal taxes in accordance with this Compact and resolve their differences regarding the State's collection of escrow on certain Cigarettes Sold on Compact Lands.

Compact

NOW, THEREFORE, in consideration of the foregoing recitals which are made a contractual part hereof, and in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

ARTICLE I DEFINITIONS

Section 1.01. Definitions. Whenever used in this Compact, the following capitalized words and phrases shall have the following meanings:

“**AAA**” shall mean the American Arbitration Association.

“**Approved Manufacturer**” shall mean, subject to Section 4.02(c), a Tobacco Product Manufacturer which is (A) in compliance with the Escrow Statutes and the Fire Safety Statutes, and (B) listed on the KSAG's directory of compliant manufacturers pursuant to K.S.A. 50-6a04(B). The KSAG's directories of compliant Tobacco Product Manufacturers can be found on the KSAG's website.

“**Auditor**” shall have the meaning set forth for such term in Section 6.02.

“**Business Day**” shall mean any day that the governmental offices of the Tribe are open for business.

“**Carton**” shall mean a container of two hundred (200) Cigarettes, whether consisting of either eight or ten Packs.

“**Cigarette**” shall mean any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use and consists of or contains:

- (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco;
- (2) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, Consumers as a Cigarette; or
- (3) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, Consumers as a Cigarette described in clause (1) above.

The term “Cigarette” includes “roll-your-own” (i.e., any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, Consumers as tobacco for making Cigarettes). For purposes of this definition, 0.09 ounces of “roll-your-own” tobacco shall constitute one individual “Cigarette.”

“**Compact**” shall have the meaning set forth for such term in the initial paragraph.

“**Compact Lands**” shall mean only the following Qualified Tribal Lands:

(A) those Qualified Tribe Lands within the boundaries of the Tribe’s reservation granted in in the Treaty between the United States of America and the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, June 28, 1862, (13 Stats., 623).

(B) those Qualified Tribe Lands described in Exhibit A attached to this Compact once the Secretary of the Department of Interior has fully acquired such land into trust for the beneficial use of the Tribe as authorized in accordance with Section 5 of the Indian Reorganization Act, 25 USC 465 and under 25 CFR § 151.10. The State agrees that it will not object to the Tribe’s on-reservation trust application for such land to be placed into trust status.

“**Consumer**” shall mean the individual or entity purchasing or receiving Cigarettes or other Tobacco Products for final use.

“**Dispute**” shall have the meaning set forth for such term in Section 7.01(b).

“**Dispute Party**” shall have the meaning set forth for such term in Section 7.01(b).

“**Effective Date**” shall have the meaning set forth for such term in Section 3.01.

“**Escrow Statutes**” shall mean Chapter 50, Article 6a of the Kansas Statutes Annotated.

“**Fire Safety Statutes**” shall mean Chapter 31, Article 6 of the Kansas Statutes Annotated.

“**Indian Tribe**” shall mean any Indian tribe, band, nation or other organized group or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under the laws of the United States.

“**KDOR**” shall mean the Kansas Department of Revenue.

“**KSAG**” shall mean the Office of the Attorney General of the State of Kansas.

“**Licensed Distributor**” shall mean the Tribe, any Tribal Affiliate, or any individual or entity subject to the Tribe’s regulatory and tax jurisdiction, in each case conducting business pursuant to a valid tobacco distributor license issued by the Tribe.

“**Licensed Retailer**” shall mean the Tribe or any Tribal Affiliate conducting business pursuant to a valid tobacco retailer license issued by the Tribe.

“**MSA**” shall mean the settlement agreement (and related documents) entered into on November 23, 1998 by the State and leading United States Tobacco Product Manufacturers; provided, however, that such term does not include the Secondary Settlement Agreement.

“**Tribe**” shall have the meaning set forth for such term in the initial paragraph.

“**Tribal Affiliate**” shall mean an entity directly or indirectly wholly owned by the Tribe. Solely for purposes of this definition, the phrase “wholly owned by” means ownership of one hundred percent (100%) of an equity interest, or the equivalent thereof.

“**Tribal Claim Parties**” shall mean, collectively, Tribe, the Tribal Tax Department, and any Tribal Affiliate to the extent such Tribal Affiliate is either a Licensed Retailer or Licensed Distributor.

“**Tribal Tax Department**” shall mean the Kickapoo Tax Department, or such other successor commission, board, committee, council, department or agency charged under Tribal law with administration and enforcement of Tribal tax laws.

“**NPM**” shall have the meaning set forth for the term “Non-participating manufacturer” in K.S.A. § 50-6a07(g).

“**Pack**” shall mean one package of either twenty (20) or twenty-five (25) Cigarettes.

“**Parties**” or “**Party**” shall have the meaning set forth for such terms in the initial paragraph.

“**PM**” shall mean a “participating manufacturer” as that term is used in the Escrow Statutes.

“Qualified Tribal Lands” shall mean:

- (1) All land within the borders of the State that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of way running through such reservation;
- (2) all dependent Indian communities within the borders of the State;
- (3) all Indian allotments within the borders of the State, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments; and
- (4) any lands within the borders of the State, the title to which is either held in trust by the United States for the benefit of any Indian Tribe or individual, or held by any Indian Tribe or individual subject to restriction by the United States against alienation and over which an Indian Tribe exercises governmental power.

“Qualified Tribe Lands” shall mean the Tribe’s Qualified Tribal Lands.

“Rules” shall have the meaning set forth in Section 7.02(b).

“Sale” (and any correlative term, such as **“Sell,” “Seller,”** or **“Sold,”** shall have the correlative meaning) shall mean any sale, barter, trade, exchange, or other transfer of ownership for value of Cigarettes or other Tobacco Products, no matter how characterized.

“Secondary Settlement Agreement” shall mean the 2003 NPM adjustment settlement agreement, which shall include the 2012 term sheet agreement, related to the MSA and to which State is a party.

“State” shall have the meaning set forth for such term in the initial paragraph.

“Tobacco Product” shall mean any product, including any component, part, or accessory, made or derived from tobacco that is intended for human consumption through smoking, chewing or both, including but not limited to Cigarettes, Cigarette tobacco, roll-your-own tobacco, smokeless tobacco, cigars, pipe tobacco, dissolvables, gels, waterpipe tobacco, and electronic cigarettes.

“Tobacco Product Manufacturer” shall mean an entity that after the Effective Date directly (and not exclusively through any affiliate):

- (1) manufactures Cigarettes anywhere that such manufacturer intends to be Sold in the United States, including Cigarettes intended to be Sold in the United States through an importer;
- (2) is the first purchaser anywhere for resale in the United States of Cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or
- (3) becomes a successor of an entity described in paragraph (1) or (2).

The term “Tobacco Product Manufacturer” shall not include an affiliate of a Tobacco Product Manufacturer unless such affiliate itself falls within any of paragraphs (1) through (3) above. Solely for purposes of this definition, the term “affiliate” shall mean a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of the preceding sentence, the terms “owns,” “is owned” and “ownership” mean ownership of any equity interest, or the equivalent thereof, of 10% or more, and the term “person” means an individual, partnership, committee, association, corporation or any other organization or group of persons.

“**Units Sold**” shall mean, with respect to a particular Tobacco Product Manufacturer for a particular year, the number of individual Cigarettes Sold in the State, including, without limitation, any Cigarettes Sold on any Qualified Tribal Lands within the State, by the applicable Tobacco Product Manufacturer, whether directly or through a distributor, retailer or similar intermediary or intermediaries, during the year in question, for which the State has the authority under federal law to impose excise or a similar tax or to collect escrow deposits, regardless of whether such taxes were imposed or collected by the State.

Section 1.02. Other Definitional Provisions.

(a) All capitalized terms defined in this Compact shall have the defined meanings when used as a capitalized term in any certificate or other document made or delivered pursuant hereto unless otherwise defined therein.

(b) As used herein and in any certificate or other document made or delivered pursuant hereto or thereto, accounting terms not defined in Section 1.01, and accounting terms partially defined in Section 1.01 to the extent not defined, shall have the respective meanings given to them under generally accepted accounting principles or regulatory accounting principles, as applicable. To the extent that the definitions of accounting terms herein are inconsistent with the meaning of such terms under generally accepted accounting principles or regulatory accounting principles, the definitions contained herein shall control.

(c) The words “**hereof**,” “**herein**” and “**hereunder**” and words of similar import when used in this Compact shall refer to this Compact as a whole and not to any particular provision of this Compact; and Section, subsection, Schedule and Exhibit references contained in this Compact are references to Sections, subsections, Schedules and Exhibits in or to this Compact unless otherwise specified.

(d) Unless otherwise specifically noted herein, any capitalized word or term used in this Compact but not otherwise expressly defined herein shall have the same meaning as the definition provided for such capitalized word or term in Chapters 50 and 79 of the Kansas Statutes Annotated as in effect on January 1, 2016.

**ARTICLE II
GENERAL PROVISIONS**

Section 2.01. Purpose of Compact. The purpose of this Compact is to prevent disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes and other Tobacco Products, including but not limited to taxation and escrow collection, in the State of Kansas, on Compact Lands, and on other Qualified Tribal Lands to the extent set forth herein.

Section 2.02. External Citations. The citation to any State statute or regulation in this Compact refers to the version in effect on January 1, 2016, unless otherwise specifically provided herein or unless the Parties specifically agree in writing to a modification of the Compact.

Section 2.03. Scope of Compact. Unless otherwise specifically provided herein, the terms and provisions of this Compact shall only apply to Cigarettes and other Tobacco Products Sold on Compact Lands. Notwithstanding any term or provision herein to the contrary, the Parties agree and acknowledge that the terms and provisions of this Compact shall not apply in any respect, including but not limited to taxation and escrow collection, to (i) any Tobacco Product Manufacturer or manufacturer of other Tobacco Products owned or operated by Tribe or any Tribal Affiliate during the term of this Compact, or (ii) the possession, transport, distribution, purchase, or Sale of Cigarettes or other Tobacco Products manufactured or imported by any Tobacco Product Manufacturer or manufacturer of other Tobacco Products, in each case to the extent described in clause (i).

ARTICLE III EFFECTIVE DATE; TERM

Section 3.01. Effective Date. Subject to the prior full execution by the Parties, ratification by Tribe's Tribal Business Council by written resolution, and approval by State Legislature and publication in the Kansas Register, this Compact shall become effective on July 1, 2017 (the "Effective Date").

Section 3.02. Term.

(a) This Compact shall have an initial term of ten (10) years subject to automatic renewal for successive ten (10) year terms absent a requested revision in writing by any Party on or before August 1 in the calendar year prior to calendar year of the expiration of the then-current term. The Parties shall negotiate such requested revisions in good faith for a period ending fifteen (15) days before expiration of the then current term; *provided, however*, that if the Parties are not able to reach agreement on such requested revisions by such date, the Parties may agree to extend the then-current term beyond the expiration date for so long as the Parties agree that further negotiations are warranted; *provided, further*, that following expiration of the initial or any extended negotiation period, either Party may provide written notice of termination of the Compact effective on the later to occur of the expiration date of the then-current term or two Business Days following the date of delivery of such written notice of termination without giving effect to any extension agreed to by the Parties. In the event that the Parties reach agreement on the requested revisions, such revisions shall be reflected in an amendment to this Compact consistent with Section 8.08. In any event, the terms and provisions of

this Compact shall continue to apply and the Parties shall conduct themselves accordingly until such time either that such amendment is fully executed, ratified and effective or that termination of this Compact is effective.

(b) Notwithstanding any provision of this Compact to the contrary, in the event that State is subject to a final, binding arbitration award or decision of a court of competent jurisdiction that the State is non-compliant or has violated the terms of the MSA or Secondary Settlement Agreement due to State's compliance with its obligations under this Compact, the Parties shall attempt to negotiate amendments to this Compact for a period of not less than 90 days following State's written notice to Tribe of State's desire to initiate such negotiations. The Parties acknowledge that the purpose of such negotiations would be to amend the Compact in a manner acceptable to the Parties that would permit the State to comply with the terms and provisions of this Compact, the MSA, and the Secondary Settlement Agreement. If the Parties are unable to negotiate such amendments within such negotiation period, the State may terminate this Compact upon two weeks' prior written notice to the Tribe. Termination of this Compact pursuant to this Section 3.02(b) shall not be subject to the dispute resolution provisions of Article VII.

(c) In the event that the State is no longer subject to, or elects to withdraw from or cease performing under, the MSA and the Secondary Settlement Agreement, the Tribe and the State may jointly agree in writing to terminate this Compact prior to the expiration of the then-current term. If there is any modification to relevant State law or final judicial determination by a court of competent jurisdiction that negates the escrow deposit obligations pursuant to the Escrow Statutes, the State may terminate this Compact at any time thereafter by providing thirty days' written notice to the Tribe.

(d) In the event a federal Court of last appeal makes a final determination that the 1862 Treaty did not diminish the reservation boundaries as set forth in the Treaty with the Kickapoo of May 15, 1854, (10 Stat. 1078), the Parties shall attempt to negotiate amendments to this Compact for a period of not less than sixty (60) days following Tribe's written notice to initiate such negotiations. If the Parties are unable to negotiate such amendments within such negotiation period, the Tribe may terminate this Compact upon two weeks' prior written notice to the State. Termination of the Compact pursuant to this Section 3.02(d) shall not be subject to the dispute resolution provisions of Article VII.

ARTICLE IV MASTER SETTLEMENT AGREEMENT PROVISIONS

Section 4.01. Tribe Obligations.

(a) Tribe shall regulate all Sales of Cigarettes on Compact Lands and may regulate Sales of other Tobacco Products on Compact Lands. As part of such mandatory regulation of Sales of Cigarettes on Compact Lands, the Tribe shall require, and enforce such requirement, that:

- (i) all Sales to ultimate Consumers of Cigarettes on Compact Lands by a Licensed Retailer shall be conducted pursuant to a valid Tribal

tobacco retailer license;

- (ii) all Cigarettes Sold on Compact Lands by a Licensed Retailer shall be acquired from a Licensed Distributor;
- (iii) each Licensed Retailer shall implement and maintain processes that verify receipt of all Cigarettes on Compact Lands substantiated and supported by contemporaneously created documentation, including but not limited to invoices, bills of lading, way bills and other documents, showing Cigarettes received by such Licensed Retailer by brand, quantity, date of receipt, and from whom such Licensed Retailer received such Cigarettes;
- (iv) each Licensed Retailer shall implement and maintain processes that verify the number of Cigarettes Sold by such Licensed Retailer to Consumers on Compact Lands by contemporaneously created documentation, including register tapes or other indicia of retail Sale generated at the point of Sale or, with respect to vending machine Sales, stocking reports, in each case showing Cigarettes Sold by brand and quantity;
- (v) each Licensed Retailer shall provide to the Tribal Tax Department, on a timely basis, reports, data, and documentation specified in clauses (iii) and (iv) above regarding retail sales of Cigarettes on Compact Lands in form and format sufficient to enable Tribe to comply with its obligations pursuant to Section 4(b) and Section 4(c), and shall maintain such documentation in an adequate and accessible retention system for a period of not less than three years;
- (vi) each brand of Cigarettes Sold, offered for Sale, possessed for Sale, or imported for Sale on Compact Lands by a Licensed Retailer shall be a brand of an Approved Manufacturer and, subject to Section 4.01(e), shall bear indicia of excise tax payment as provided in Section 5.02;
- (vii) each Licensed Distributor shall apply indicia of excise tax payment as provided in Section 5.02 to each Pack of Cigarettes prior to delivery to a Licensed Retailer located on Compact Lands;
- (viii) each Licensed Distributor shall implement and maintain processes that verify delivery of all Cigarettes to Licensed Retailers on Compact Lands substantiated and supported by contemporaneously created documentation, including but not limited to invoices, bills of lading, way bills and other documents, showing Cigarettes delivered by brand, quantity, date of receipt, and to which Licensed Retailer such Cigarettes were delivered;
- (ix) each Licensed Distributor shall implement and maintain processes that, on a monthly basis, verify the number of items of indicia of payment of excise tax purchased from the Tribal Tax Department , as

documented by a contemporaneously created, written receipt received from the Tribal Tax Department , the number of such items of indicia received by such Licensed Distributor, if different than the number purchased, the number of such items of indicia affixed to Packs of Cigarettes by such Licensed Distributor, the number of Packs of Cigarettes bearing such indicia delivered to Licensed Retailers as documented by one or more contemporaneously created, written statements from such Licensed Distributor, the number of such items of indicia that may be damaged, torn, mutilated or otherwise unusable and returned to the Tribal Tax Department , documented by a contemporaneously created, written receipt received from the Tribal Tax Department , the number of such items of indicia which are destroyed in accordance with Tribal Tax Department regulations, and the number of unaffixed items of such indicia which are on hand at such Licensed Distributor's premises, as documented by contemporaneously created, written inventory sheets;

- (x) each Licensed Distributor shall implement and maintain processes that verify monthly beginning and ending inventories of Packs of Cigarettes bearing indicia of payment of excise tax described in Section 5.02(a), as documented by contemporaneously created, written inventory sheets showing adjustments during such month for number of Packs of Cigarettes (A) to which such indicia were affixed, (B) received with such indicia affixed, (C) returned from Licensed Retailers, and (D) Sold to Licensed Retailers;
- (xi) with respect to each Licensed Distributor that maintains premises on Compact Lands, such Licensed Distributor shall implement and maintain processes that verify monthly beginning and ending inventories of Packs of Cigarettes not bearing any indicia of payment of excise tax, as documented by contemporaneously created, written inventory sheets showing adjustments during such month for number of Packs of Cigarettes (A) received without bearing any indicia of payment of excise tax, (B) to which indicia of payment of excise tax are affixed, in the aggregate and by specific jurisdiction, (C) Sold to the United States government, and (D) returned to a Tobacco Product Manufacturer;
- (xii) each Licensed Distributor shall provide to the Tribal Tax Department, on a timely basis, reports, data, and documentation specified in clauses (viii), (ix), (x), and (xi) above regarding retail Sales of Cigarettes on Compact Lands in form and format sufficient to enable Tribe to comply with its obligations pursuant to Section 4.01(b) and Section 4.01(c), and shall maintain such documentation in an adequate and accessible retention system for a period of not less than three years.

The Parties agree that United States generally accepted accounting principles (GAAP)

shall, to the extent applicable, provide the appropriate standard for measuring the adequacy of the processes required by this Section 4.01.

(b) Tribe, through its Tribal Tax Department, shall collect from Licensed Retailers the documentation specified in clause (v) of Section 4.01(a), shall collect from Licensed Distributors the documentation specified in clause (xii) of Section 4.01(a), and shall retain all such documentation for a period of not less than three years.

(c) Tribe, through its Tribal Tax Department at Tribe's sole expense, shall prepare and remit to KDOR data regarding Sales of Cigarettes on Compact Lands in the form and format and on the dates reasonably requested by KDOR from time to time and approved by the Tribal Tax Department, such approval not to be unreasonably withheld. Such data shall be prepared based upon the documentation gathered by the Tribal Tax Department pursuant to Section 4.01(b). Such data shall be remitted at the same frequency as comparable data is required to be submitted to the State under applicable State law by State-licensed retailers or distributors of Cigarettes.

(d) Tribe, through its Tribal Tax Department, shall implement and maintain processes that verify the number of items of indicia of payment of excise tax delivered to the Tribe pursuant to Section 5.02, as documented by a contemporaneously created, written receipt received from the State, the number of such items of indicia applied to Cigarettes delivered to Licensed Retailers as documented by one or more contemporaneously created, written statements from each Licensed Distributor, the number of such items of indicia that may be damaged, torn, mutilated or otherwise unusable and returned to the State, documented by a contemporaneously created, written receipt received from the State, the number of such items of indicia on hand from time to time at the Tribal Tax Department and each Licensed Distributor documented on contemporaneously created, written inventory sheets. Tribe, through its Tribal Tax Department, shall retain all such documentation for a period of not less than three years.

(e) On the Effective Date, the Tribal Tax Department shall seize as contraband all Cigarettes held for Sale by Licensed Retailers which do not satisfy the requirements of Section 4.01(a)(vi). Such contraband Cigarettes shall be destroyed subject to oversight by the Tribal Tax Department and KSAG. Notwithstanding any provision of this Compact to the contrary, all Packs of Cigarettes in the inventory of a Licensed Retailer on the Effective Date which bear either a Tribal excise tax stamp or a State excise tax stamp shall be deemed to bear indicia of excise tax payment as provided in Section 5.02 for all purposes of this Compact.

Section 4.02. State Obligations.

(a) The State agrees to reimburse the Tribe for the economic cost incurred by the Tribe in assisting the State in its ongoing diligent enforcement efforts under the MSA and Secondary Settlement Agreement. Reimbursement shall be as follows:

(i) \$50,000.00 to be received by the Tribe on or before the end of each calendar quarter (March 31, June 30, September 30 and December 31) during the initial ten (10)

year term of this Compact.

(ii) In the event this Compact continues for additional ten (10) year terms, the quarterly payment amount shall be increased fifteen percent (15%) over the quarterly payment amount payable during the immediately prior ten (10) year period.

(b) As provided by Section VII of the Memorandum of Understanding for Voluntary Compliance for Cigarette Sales and Reporting (the "MOU"), entered into between the Tribe and the State, with an effective date of July 28, 2016, for its full compliance with the terms of such MOU, the State agrees to a one-time payment to the Tribe in the amount of \$50,000 to be paid on July 1, 2017.

(c) As additional consideration to reimburse the Tribe for the economic cost incurred by the Tribe in assisting the State in its ongoing diligent enforcement efforts under the MSA and the 2003 NPM adjustment settlement agreement, including the 2012 term sheet agreement, the following shall be exempt from tax imposed by the Kansas Retailers' Sales Tax Act, K.S.A. 79-3601 *et seq.* and amendments thereto: all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the Kickapoo Tribe in Kansas, a federally recognized Indian Tribe, and used exclusively for Tribal purposes.

ARTICLE V TAX PROVISIONS

Section 5.01. Exercise of Tax Jurisdiction.

(a) The Tribe shall have the sole right to impose, collect, and retain Sales taxes and excise taxes on transactions conducted by Licensed Retailers and Licensed Distributors involving Cigarettes and other Tobacco Products ultimately Sold to Consumers by Licensed Retailers on Compact Lands. Further, the Tribe shall have the sole obligation hereunder to impose Sales taxes and excise taxes on such transactions to the extent described herein. With respect to such Cigarettes or other Tobacco Products, the State shall not impose any Sales tax, excise tax, privilege tax, use tax, other tax, licensing fee, user fee or other fee at any point in the stream of commerce:

- (i) where the legal incidence of any such tax or fee falls on any such Consumer; or
- (ii) which, if passed through in whole or in part to any such Licensed Retailer or Licensed Distributor, would have the effect of increasing such Licensed Retailer's or Licensed Distributor's cost of goods Sold;

provided, however, for the avoidance of doubt, such restrictions shall not apply to escrow payments, directory fees, or any bond required under the Escrow Statutes with respect to such Cigarettes. The State shall take no affirmative action to enable or authorize any other individual or entity to take any action which, if taken directly by the State, would violate this Section 5.01(a).

(b) Notwithstanding any provision of Section 5.01(c) to the contrary, the Tribe shall levy upon the consensual Sale of Cigarettes by a Licensed Retailer to a Consumer on

Compact Lands a tax computed as a percentage of the actual Sales price thereof exclusive of any rebates. For purposes of the preceding sentence, such Sales tax shall be levied at a rate no lower than the lowest of (i) five percent (5%), or (ii) the Kansas Sales tax rate in effect at the time of such Sale less 1.5%; *provided, however*, that the fixed amount computed pursuant to this Section 5.01(b) shall not be less than \$0.00. Nothing in this Compact shall prohibit the Tribe, in its sole discretion, from levying Sales tax on such Sales at a rate higher than that required in the preceding sentence.

(c) Subject to Section 5.01(d), the Tribe shall levy upon the consensual Sale of Cigarettes on Compact Lands an excise tax computed from time to time as a fixed amount per Carton of Cigarettes or fractional part thereof. For purposes of the preceding sentence, such fixed amount per Carton of Cigarettes shall be no lower than the lowest of (i) the lowest excise tax rate per Carton of Cigarettes levied or imposed at the time of computation pursuant to the laws of any of the states immediately bordering the State; (ii) the excise tax rate per Carton of Cigarettes levied or imposed at the time of computation pursuant to the laws of the State less \$11.20 per Carton of Cigarettes; or (iii) the lowest aggregate excise tax rate per Carton of Cigarettes levied or imposed at the time of computation by any Indian Tribe which is party to a Cigarette/Tobacco Product compact with the State; *provided, however*, that the fixed amount computed pursuant to this Section 5.01(c) shall not be less than \$0.01 per Carton. Nothing in this Compact shall prohibit the Tribe, at its sole discretion, from levying excise tax on such Cigarettes in an amount higher than that required in the preceding sentence. Such excise tax shall be paid only once and shall be imposed on and paid by the Licensed Distributor which Sells Cigarettes to a Licensed Retailer for Sale to Consumers on Compact Lands. For the avoidance of doubt, the Tribe shall not be required to levy such excise tax on any Sale of Cigarettes where the Licensed Distributor intends to Sell such Cigarettes outside Compact Lands.

(d) Notwithstanding any other provision of this Compact to the contrary, the Tribe shall levy upon the consensual Sale of roll-your-own tobacco on Compact Lands an excise tax of not less than 1% of the wholesale Sale price of such roll-your-own tobacco. Such excise tax shall be paid only once and shall be imposed on and paid by the Licensed Distributor at the time that the Licensed Distributor (a) brings or causes to be brought onto Compact Lands such roll-your-own tobacco for Sale on Compact Lands, (b) makes, manufactures, or fabricates such roll-your-own tobacco on Compact Lands for Sale on Compact Lands, or (c) ships or transports such roll-your-own tobacco to any Licensed Retailer on Compact Lands to be Sold by such Licensed Retailer on Compact Lands. For the avoidance of doubt, the Tribe shall not be required to levy such excise tax on any sale of roll-your-own tobacco where the Licensed Distributor intends to Sell such roll-your-own tobacco outside Compact Lands.

Section 5.02. Indicia of Tax; Distribution and Transport.

(a) The Tribal Tax Department and KDOR shall jointly design and designate indicia of payment of the excise tax levied pursuant to Section 5.01(c). Such indicia shall include at a minimum the acronym "KTIK" the word "Kansas," and an inventory control number, code or other technology in a form and color mutually agreeable to the Tribe and KDOR. The State shall produce, or cause to be produced, and deliver to the Tribe

all such indicia as may be required for Tribe to comply with its obligations hereunder, including but not limited to Tribe's obligations pursuant to Section 4.01(a)(vi). The State shall cause said stamps to be produced and the cost split equally with the Tribe. (b) For purposes of this Compact, the Parties agree that the following shall constitute contraband:

- (i) All Packs of Cigarettes, in quantities of 20 Cigarettes per Pack or more, not bearing indicia of payment of excise tax as required in this Compact and all devices for vending Cigarettes in which unstamped Packs are found;
- (ii) all Cigarettes or Tobacco Products in the possession of a minor;
- (iii) all property, other than vehicles, used in the retail Sale of Packs of Cigarettes described in clause (i);
- (iv) any Cigarettes Sold, offered for Sale, or possessed for Sale on Compact Lands where such Cigarettes are not a brand of an Approved Manufacturer; and
- (v) any Cigarettes to which tax indicia has been affixed, was caused to be affixed, or the tax paid thereon as required by Section 5.01(c) or (d) of this Compact, where such Cigarettes are not a brand of an Approved Manufacturer.

(b) Notwithstanding any provision of this Compact to the contrary, any Pack of Cigarettes Sold by a Licensed Retailer, in the possession of a Licensed Retailer, or in transit to a Licensed Retailer with proper bills of lading from a Licensed Distributor in each case bearing the indicia of payment of excise tax described in Section 5.02(a) shall be deemed to be bearing indicia of payment of State excise tax for all purposes of State law and, in any event, shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process on grounds of non-payment of any State tax.

(c) Notwithstanding any provision of this Compact to the contrary, any Cigarette in the possession of a Licensed Distributor with premises on Compact Lands or which are in transit, with proper bills of lading showing shipment from the relevant Tobacco Product Manufacturer or its importer to a Licensed Distributor with premises on Compact Lands, but in either case not bearing indicia of payment of excise tax pursuant to Section 5.02(a), or for which tax has not been paid pursuant to Section 5.01(d), shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process, in each case on grounds of non-payment of State excise tax, if the related Tobacco Product Manufacturer is an Approved Manufacturer.

(d) Any Tobacco Product, other than Cigarettes, which is in the possession of a Licensed Distributor with premises on Compact Lands or is in transit, with proper bills of lading showing shipment from the relevant manufacturer or its importer to a Licensed Distributor with premises on Compact Lands, but in either case not bearing

indicia of payment of excise tax pursuant to Section 5.02(a), or for which tax has not been paid pursuant to Section 5.01(d), shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process, in each case on grounds of non-payment of any State tax.

(e) Any Tobacco Product, other than Cigarettes described in Section 5.02(c), in the possession of a Consumer which a Consumer can demonstrate was purchased from a Licensed Retailer, shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction pursuant to State law or process on grounds of non-payment of any State tax.

(f) In the event KSAG or KDOR has actual knowledge that any Pack of Cigarettes described in Section 5.02(c) or (d) or any Tobacco Product described in Section 5.02(e) is seized or confiscated under color of State law or process as in effect from time to time, then KSAG or KDOR, as applicable, shall transmit written notice of such seizure or confiscation to the Tribe within two Business Days of first acquiring such actual knowledge.

(g) Notwithstanding any provision of this Compact to the contrary, the possession, gift, or use on Qualified Tribe Lands of noncommercial privately produced tobacco for religious or ceremonial use shall be exempt from taxation by State and may be exempt from taxation by Tribe. Such tobacco shall be deemed not to be a common nuisance or contraband pursuant to State law and not subject to seizure, forfeiture, confiscation or destruction as a common nuisance or contraband pursuant to State law or process, in each case on grounds of non-payment of any State tax. For purposes of this Section 5.02(h), “tobacco” shall mean any plant, including parts or products thereof, within the genus *Nicotiana* and which does not constitute a “controlled substance” within the meaning of 21 U.S.C. § 802(6).

(h) For purposes of this Section 5.02 only, references to “State law” mean K.S.A. § 79-3323 and the Escrow Statutes as each may be amended from time to time.

ARTICLE VI

AUDITS AND INSPECTIONS

Section 6.01. Purpose. The purpose of this Article VI is to provide a process for regular verification of the requirements of this Compact. The verification process is intended to reconcile data from all sources that make up the stamping, Selling, and taxing activities under this Compact.

Section 6.02. Tribe to Contract with Third Party Auditor. The Tribe and the State agree that, for purposes of verifying compliance with this Compact, the Tribe will contract with and retain an independent third party auditor (the “**Auditor**”). The Tribe and the State shall each bear fifty percent (50%) of the costs of the auditing services. The Tribe and the State shall be entitled to freely communicate with the Auditor; *provided, however*, that all information provided to the State by Auditor shall be provided directly to KDOR. The Tribe shall select the Auditor, subject to the approval

of the KSAG; *provided, further*, that such approval shall not be unreasonably withheld; *provided, further*, that the Tribe's selection of any Auditor possessing a valid Kansas Permit to Practice issued by the Kansas Board of Accountancy shall be deemed approved by the KSAG. The Auditor will review records on an annual calendar year basis to issue an annual report and certification as provided in this Article VI.

Section 6.03. Audit Protocol. To verify compliance with this Compact, the Auditor must adhere to the following protocol:

(a) **Period Under Review.** The Auditor must review records for the calendar year under audit and may review records for earlier years that are after the Effective Date but only as necessary for an internal reconciliation of the relevant books. Subject to the foregoing, records relating to any period before the Effective Date are not open to review. In situations where the Auditor is responsible for verifying records on less than an annual basis, the period under review shall not include years previously reviewed by the Auditor, except when a violation is alleged to have occurred during the period previously reviewed.

(b) **Records to be Examined.** The Auditor must review Tribal Tax Department books and records for records and invoices of stamp purchases, records and invoice of Sales of stamped Cigarettes, stamp inventory, the stamping process, products Sold, product inventory records, and such additional records as are necessary to verify (1) the Units Sold, (2) the retail Selling price, including application of Tribal Sales and excise taxes, and (3) procedures demonstrating Tribe's compliance with Sections 4.01 and 5.01 of this Compact, all with respect to Sales of Cigarettes by Licensed Retailers on Compact Lands. In all situations, the Auditor is not responsible for examining, and shall not examine, records that do not relate to the stamping, Selling, or taxing activities of the Tribe, any Tribal Affiliate, or Tribe's licensees, unless a review of the records is necessary to an internal reconciliation of the books of the Tribe, any such Tribal Affiliate or any such licensee.

(c) **Audit Standard.** Each audit performed pursuant to this Article VI shall be performed in accordance with generally accepted auditing standards.

Section 6.04. Audit Report and Certification. After each annual audit, the Auditor shall issue to KDOR and the Tribe an audit report and a certification, as further described below, with respect to compliance with this Compact. The annual audit report shall set forth the total Units Sold attributable to each Tobacco Product Manufacturer by Licensed Retailers on Compact Lands during the relevant period. The annual audit report shall also include a certified statement of the Auditor to the KDOR that the Auditor finds the Tribe to be in compliance with Sections 4.01 and 5.01 of this Compact or else that the Tribe is in compliance except for specifically listed items that are explained in the annual report.

Section 6.05. Audit Schedule. Audit reviews shall take place following each calendar year (or portion thereof) during the term of this Compact, with an audit report submitted no later than April 1 following such calendar year.

Section 6.06. Joint Audit Implementation and Review. The Tribe and the State shall

meet jointly with the Auditor prior to the beginning of each annual audit. The purpose of such meeting will be to discuss the objectives of the upcoming audit, the expectations of the Tribe and of the State, the standards to be used in such audit, and any issues regarding conduct of the audit, records pertinent to the audit or the contents of the Auditor's report. Subsequent meetings before and during the audit may be held as required. As soon as practicable after the issuance of the Auditor's report and certification, the Tribe and the State may meet jointly with the Auditor as often as required to review the audit report and discuss any issue of concern. In the event that either the Tribe or the State disagrees with the Auditor's report or certification, or any audit finding contained therein, either Party may notify the other of the disagreement and follow the procedures for resolution of the disagreement in Article VII of this Compact.

Section 6.07. Inspections.

(a) The Parties agree that, subject to the requirements and limitations of this Section 6.07, agents or employees of the Tribal Tax Department and agents or employees of KSAG and/or KDOR will conduct joint inspections of Licensed Retailers and Licensed Distributors located on Compact Lands. In connection with any such joint inspection, the Tribe shall permit such agents or employees of the Tribe and agents or employees of KSAG and/or KDOR to review all documentation collected and maintained by the Tribal Tax Department pursuant to Section 4.01(b) and Section 4.01(d).

The agents or employees of the Tribe and agents or employees of KSAG and/or KDOR shall agree to a random sampling methodology for each joint inspection based on generally recognized valid and reliable sampling techniques. The Parties further agree such joint inspections shall not involve complete audits or complete inventories but shall be limited to random sample inspections of stock, tax indicia, and documentation on hand at the premises of a Licensed Retailer or Licensed Distributor, as applicable, for the purposes of verifying that all Cigarettes offered or intended for Sale by any Licensed Retailer on Compact Lands (i) are solely brands of Approved Manufacturers, (ii) were acquired from a Licensed Distributor, and (iii) bear indicia of payment of excise tax to the extent required in Section 5.02. In any event, such joint inspections shall not be disruptive of the business operations of any Licensed Retailer or Licensed Distributor.

(b) The State reserves the right hereunder to initiate and participate in up to twelve joint inspections described in Section 6.07(a) per calendar year, with a limit of up to two (2) such joint inspection per calendar month; *provided, however*, that joint inspections of any one or more separate premises on the same Business Day shall only constitute one "joint inspection" for purposes of the preceding limitations; *provided, further*, that if the State and Tribe inspection team notes any violations of this Compact by one or more Licensed Retailers or Licensed Distributors during any such joint inspection, the State may initiate, by giving notice in accordance with Section 6.07(c), one follow-up joint inspection with the Tribe of all premises involved in such violations on a subsequent Business Day following the earlier of notice of completed cure or conclusion of any cure period pursuant to Section 7.01(a) related to such violations, with such follow-up joint inspection not counting against the monthly or annual limits

set forth in this sentence.

(c) The Tribe shall make its personnel available for joint inspections permitted hereunder on a Business Day between the hours of 9:00 a.m. and 4:30 p.m. upon prior email notice to the Tribe transmitted by a representative of the State by 10:00 a.m. one Business Day prior to the requested inspection. State representatives and Tribal representatives shall coordinate the details of the joint inspection by 3:00 p.m. on the day of such email notice. Any email notice provided to the Tribal Tax Department pursuant to the Section 6.07 shall be given to the Tribal Chairman at tax.department@ktik-nsn.gov or by written notice.

(d) Any Packs of Cigarettes found for Sale at a Licensed Retailer during a permitted joint inspection that are not brands of an Approved Manufacturer or that do not bear indicia of payment of excise tax as required in Section 5.02 shall be removed by the Tribal Tax Department until the matter is resolved.

(e) This Section 6.07 does not limit the Tribe from unilateral enforcement of its laws and regulations and does not authorize the State to unilaterally conduct inspections of Licensed Retailers or Licensed Distributors on Compact Lands; *provided, however*, that the State may conduct test purchases from Licensed Retailers located on Compact Lands and may conduct unobtrusive observation of those portions of Licensed Retailer and Licensed Distributor premises located on Compact Lands which are open to the general public.

ARTICLE VII

DISPUTE RESOLUTION

Section 7.01. General.

(a) In the event Tribe is in default of its obligations pursuant to Section 4.01, Article V or Article VI of this Compact, Tribe shall cure such default within thirty days following receipt of written notice of such default from the State. The Tribe or its representatives shall promptly provide written notice of completion of such cure to State. In the event Tribe does not cure such default, the State may initiate dispute resolution procedures in accordance with the remainder of Article VII of this Compact.

(b) For purposes of this Article VII, each of the State and the Tribe may be referred to as a “**Dispute Party.**” Each Dispute Party warrants that it will use its best efforts to negotiate an amicable resolution of any and all disagreements, controversies or claims between any or all Tribal Claim Parties and the State (each, a “**Dispute**”) arising out of or in connection with this Compact (including without limitation claims relating to the validity, construction, performance, breach and/or termination of this Compact). Negotiation pursuant to this Section 7.01(b) shall be commenced by one Dispute Party providing written notice to the other Dispute Party of the existence of a Dispute. The written notice shall provide a concise summary of the nature of the Dispute. Promptly following delivery of any such written notice, and in no event later than thirty (30) days following such delivery, the Governor of the State of Kansas and the Tribe’s Chairperson, or their respective designees, shall commence good faith negotiations to

resolve such Dispute(s). If the Dispute Parties are unable to negotiate an amicable resolution of any such Dispute within thirty (30) days following such commencement of good faith negotiations or such longer time period as the Dispute Parties may mutually agree in writing, either Dispute Party may submit the matter to arbitration for final resolution. Notwithstanding the foregoing or any other provision of this Compact to the contrary, either Dispute Party may immediately commence arbitration proceedings for the purpose of seeking emergency relief pursuant to the Rules addressing “Emergency Measures of Protection.”

Section 7.02. Arbitration.

(a) *Initiation; Selection of Panel.* Subject to the requirements of Section 7.01, arbitration may be initiated by either Dispute Party by serving written notice to the other Dispute Party and by complying with the requirements of the Rules. Within seven days following initiation of the arbitration proceedings, each Dispute Party shall notify the other Dispute Party and the AAA of its disinterested and independent nominee for an arbitrator. If the Dispute Parties agree upon the nomination of a single arbitrator for the Dispute within ten days following initiation of arbitration, such nominee shall serve as sole arbitrator of the Dispute. If the Dispute Parties do not agree to a single arbitrator, the arbitration panel shall consist of three disinterested and independent arbitrators. In that event, the two arbitrators nominated by the Dispute Parties shall nominate the third disinterested and independent arbitrator to serve with them. In the event the two arbitrators fail for any reason to name the third arbitrator within seven days, the AAA shall name the third arbitrator. In any event, such third arbitrator shall serve as chairperson of the arbitration panel. Notwithstanding the foregoing, the Rules shall govern the selection and number of arbitrators for any Dispute governed by the Emergency Measures of Protection or Expedited Procedures provisions of the Rules, or both.

(b) *Rules; Federal Question; Choice of Law.* Except as the Dispute Parties may subsequently agree otherwise in writing, the arbitration shall be conducted and enforced in accordance with the Commercial Arbitration Rules and Mediation Procedures (the “**Rules**”) of the (“**AAA**”), as such Rules may be modified by this Compact, the Federal Arbitration Act, and to the extent not preempted by the Federal Arbitration Act, the Kansas Uniform Arbitration Act. The Parties agree and acknowledge that judicial resolution and enforcement of any Dispute or a settlement or arbitration decision issued hereunder with respect thereto, involves questions of federal law. The law governing any Dispute shall be limited to applicable federal law, the common law of the United States, and Kansas law, in that order and without reference to internal conflicts of laws principles.

(c) *Proceedings.* Any arbitration shall be conducted at a place designated by the arbitration panel in Topeka, Kansas or any other location as the Dispute Parties may mutually agree in writing. Except for proceedings governed by the Rules on “Emergency Measures of Protection” or by the “Expedited Procedures” contemplated by the Rules, if applicable, the arbitration panel shall commence proceedings within 30 days of appointment of the final arbitrator, and hold proceedings providing each Dispute Party a fair opportunity to present its side of the Dispute, together with any

documents or other evidence relevant to resolution of the Dispute. The arbitration decision shall be final and binding upon the Parties unless, during or following completion of the arbitration proceedings, the Dispute Parties have met and arrived at a different settlement of the Dispute. The arbitrators shall have the power to grant equitable or injunctive relief and specific performance of this Compact. The arbitrators shall not have the power to award monetary relief, including damages, penalties, or costs and expenses, including attorneys' fees, to the extent not otherwise expressly permitted by the terms of this Compact. The Parties and the arbitrators shall maintain strict confidentiality with respect to the arbitration.

(d) *Expenses.* The reasonable expenses of Dispute resolution shall be paid equally by the Dispute Parties, who shall also pay their own expenses; *provided, however,* that any Dispute Party who (1) fails or refuses to submit to arbitration following a proper demand by any other Dispute Party, or (2) fails or refuses to voluntarily comply with the terms of any settlement or arbitration decision issued hereunder, shall bear all costs and expenses, including reasonable attorneys' fees, incurred by such other Dispute Party in compelling arbitration of any Dispute or enforcing any settlement or arbitration decision.

(e) *Enforcement.* If enforcement of a settlement or arbitration decision becomes necessary by reason of failure of one or more Parties to implement its terms voluntarily, or if one of the Dispute Parties refuses to participate in arbitration as provided in this Section 7.02 and the other Dispute Party seeks enforcement of any provision of this Compact, the Parties agree that, subject to the limited waivers of sovereign immunity contained herein, the matter may be resolved by judicial resolution and enforcement and that venue for judicial resolution and enforcement shall be in the United States District Court for Kansas pursuant to the specific provisions of this Compact, in any other court of competent jurisdiction, and in any other court having appellate jurisdiction over any such court. In any such proceeding, service on any Dispute Party shall be effective if made by certified mail, return receipt requested to the address set forth in or otherwise designated pursuant to Section 8.06.

Section 7.03. Limited Waivers by Tribe. The Tribe hereby waives its sovereign immunity, its right to require exhaustion of tribal remedies, and its right to seek tribal remedies with respect to any Dispute, effective only if the Tribe fails to implement the terms of a settlement or arbitration decision voluntarily or refuses to participate in arbitration, and subject to the following specific limitations:

(1) *Limitation of Claims.* The limited waiver granted pursuant to this Section 7.03 shall encompass (A) claims which seek monetary relief for direct damages attributable to Tribe's breach of this Compact and for costs and expenses, including reasonable attorneys' fees, to the limited extent provided in Section 7.02(d), (B) claims for equitable remedies, and (C) actions to compel Dispute resolution by arbitration or for enforcement of a settlement or arbitration decision as provided in this Article VII. Notwithstanding the foregoing or any other provision of this Compact to the contrary, such limited waiver shall in no event extend to or encompass claims which seek indirect, incidental, special, consequential, punitive, exemplary or reliance damages (including, without limitation, lost or anticipated revenues, lost business opportunities

or lost Sales or profits, whether or not any Party has been advised of the likelihood of such damages) against Tribe or any Tribal Affiliate, and neither Tribe nor any Tribal Affiliate shall be liable for any such damages.

(2) *Time Period.* The limited waiver granted pursuant to this Section 7.03 shall commence upon the Effective Date of this Compact and shall continue until the date of its termination or cancellation pursuant to the terms of this Compact, except that the limited waiver shall remain effective for any proceedings then pending or initiated within 180 days following termination of this Compact for breach, and all permitted appeals therefrom.

(3) *Recipient of Waiver.* The limited waiver granted pursuant to this Section 7.03 is granted to and for the sole benefit of the State, and may not be assigned or granted to any other individual or entity.

(4) *No Revocation.* The Tribe agrees not to revoke its limited waiver of sovereign immunity contained in this Section 7.03. In the event of any such revocation, the State may, at its option, declare this Compact terminated for breach by the Tribe.

(5) *Limitation Upon Damages.* Any monetary award or awards against the Tribe shall be limited, in the aggregate, to an amount equal to total tax revenues and gross profits actually received by the Tribe or Tribal Affiliates attributable to the Sale of Cigarettes during the term of this Compact.

(6) *Credit of the Tribe and Tribal Affiliates.* Except as otherwise expressly provided in this Section 7.03, the limited waiver granted pursuant to this Section 7.03 shall not implicate or in any way involve the credit of the Tribe or any Tribal Affiliate.

Section 7.04. Limited Waiver by State. The State hereby waives its sovereign immunity, effective only if the State fails to implement the terms of a settlement or arbitration decision voluntarily or refuses to participate in arbitration pursuant to this Compact, subject to the following specific limitations:

(1) *Limitation of Claims.* The limited waiver granted pursuant to this Section 7.04 shall encompass (A) claims which seek monetary relief for direct damages attributable to State's breach of this Compact and for costs and expenses, including reasonable attorneys' fees, to the limited extent provided in Section 7.02(d), (B) claims for equitable remedies, and (C) actions to compel Dispute resolution by arbitration or for enforcement of a settlement or arbitration decision as provided in this Article VII. Notwithstanding the foregoing or any other provision of this Compact to the contrary, such limited waiver shall in no event extend to or encompass claims which seek indirect, incidental, special, consequential, punitive, exemplary or reliance damages (including, without limitation, lost or anticipated revenues, lost business opportunities or lost Sales or profits, whether or not any Party has been advised of the likelihood of such damages) against the State, and the State shall not be liable for any such damages.

(2) *Time Period.* The limited waiver granted pursuant to this Section 7.04 shall commence upon the Effective Date of this Compact and shall continue until the later of the date of its termination or cancellation pursuant to the terms of this Compact or the

date on which the State has no surviving obligations pursuant to Section 8.02 and no surviving payment obligations pursuant to Section 4.02(a), except that the limited waiver shall remain effective for any proceedings pending on such date or initiated within 180 days following termination of this Compact for breach, and all permitted appeals therefrom.

(3) *Recipient of Waiver.* The limited waiver granted pursuant to this Section 7.04 is granted to and for the sole benefit of the Tribe (for itself and the other Tribal Claim Parties), and may not be assigned or granted to any other individual or entity.

(4) *No Revocation.* The State agrees not to revoke its limited waiver of sovereign immunity contained in this Section 7.04. In the event of any such revocation, the Tribe may, at its option, declare this Compact terminated for breach by the State.

(5) *Limitation Upon Damages.* Any monetary award or awards against the State shall be limited, in the aggregate, to an amount equal to total tax revenues and gross profits actually received by the Tribe or Tribal Affiliates attributable to the Sale of Cigarettes during the term of this Compact.

ARTICLE VIII

MISCELLANEOUS

Section 8.01. Other Compacts.

(a) During the Term of this Compact, State may enter into and be party to one or more compacts or other agreements regarding possession, transport, distribution, or Sale of Cigarettes or other Tobacco Products, including but not limited to taxation and escrow collection, with the Iowa Tribe of Kansas and Nebraska, the Prairie Band Potawatomi Nation, or the Sac and Fox Nation of Missouri in Kansas and Nebraska.

(b) State shall not enter into or be party to any such compact or agreement with any Indian Tribe during the Term of this Compact, except as otherwise provided in Section 8.01(a).

Section 8.02. Confidentiality. All information provided hereunder to the State shall be provided directly to KDOR and shall be treated as confidential pursuant to K.S.A. 2015 Supp. Sections 50-6a11(e), 50-6a11(f), and 75-5133; *provided, however*, that the State is permitted to provide or share such information pursuant to K.S.A. 2015 Supp. Sections 50-6a11(a) or 75-5133(b)(19).

Section 8.03. No Concessions. By entering into this Compact, the Parties acknowledge and agree that, except as expressly provided herein, the Tribe does not concede that: (a) the laws of the State, including any taxation or civil regulatory laws, apply to the Tribe, its members or any Tribe Affiliate regarding activities and conduct on Qualified Tribe Lands or otherwise within the Tribe's jurisdiction; or (b) the Qualified Tribe Lands are located in or within the State or are otherwise part of the State. By entering into this Compact, the Parties acknowledge and agree that, except as expressly provided herein, the State does not concede that its interests, jurisdiction or

sovereignty, as authorized, permitted or recognized by federal law, is diminished, limited or preempted in any manner.

Section 8.04. Most-Favored Nation. The State agrees that Tribe may propose an amendment to this Compact by written notice to the State based upon any provision of a compact permitted by Section 8.01 which Tribe desires to include as a provision in this Compact. If the State Legislature does not approve such proposed amendment at the legislative session next following the Tribe's request for such amendment, Tribe may terminate this Compact at any time thereafter by providing thirty days' written notice to State.

Section 8.05. Construction.

(a) Each Party has received independent legal advice from its attorney(s) of choice and neither Party shall be deemed the author or drafter of this Compact. Therefore, any rule or canon of construction (whether pertaining to contracts, statutes, treaties or otherwise) that, in the case of an ambiguity, such ambiguity is construed against the author or drafter is not applicable. The language of all parts of this Compact shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the Parties. It is the intent of the Parties that this Compact shall be construed to reflect that the Parties are of equal stature and dignity and have dealt with each other at arm's-length. Accordingly, any statutory or judicial rules or canon concerning the construction of vague or ambiguous terms (whether pertaining to contracts, statutes, treaties or otherwise) that might otherwise be used in the interpretation or enforcement of this Compact, including construction of ambiguities either in favor of or against a state or Indian Tribe, is not applicable to this Compact and shall not obtain to the benefit or detriment of any Party, nor shall the terms and conditions of this Compact be extended by implication to the benefit or detriment of any Party, it being the intent of the Parties that the construction of this Compact shall be controlled by its express terms and not by implication.

(b) The Article, Section and other headings contained in this Compact are for reference purposes only and shall not affect the meaning or interpretation of this Compact.

Section 8.06. Notice. Except as otherwise expressly provided in Section 6.07(c), any notices or communications required or permitted to be given hereunder shall be in writing and shall be sent by manual delivery, overnight courier or United States certified mail (postage prepaid and return receipt requested) addressed to the respective Party at the address specified below, or at such other address as such Party shall have specified to the other Parties hereto in writing.

If to the Nation:

Chairperson and Tribal Council
Kickapoo Tribe in Kansas
1107 Goldfinch Rd.
Horton, KS 66439

If to the State:

Office of the Governor
300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

with copies to:

Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597

and

Secretary of Revenue
915 SW Harrison Street, Second Floor
Topeka, KS. 66612-1588

All periods of notice shall be measured from, and such notices or communications shall be deemed to have been given and received on, the date of delivery as evidenced by the signed receipt of such notice or communication by the addressee or its authorized representative.

Section 8.07. Limited Purpose. Nothing in this Compact shall be deemed to authorize the State to regulate or tax the Tribe, its members, or any Tribal Affiliate or to interfere with the Tribe's government or internal affairs. This Compact shall not alter, limit, diminish or preempt Tribal, federal or State sovereignty, authority, civil adjudicatory jurisdiction or criminal jurisdiction, except as expressly provided herein. Subject to Section 2.03 and the provisions of this Compact regarding Approved Manufacturers, nothing in this Compact shall require that the Tribe, any Tribal Affiliate, or any Licensed Retailer or Licensed Distributor obtain or maintain any license from, or otherwise submit to the jurisdiction of, the State. Nothing in this Compact shall constitute a stipulation by any party as to the actual boundaries of Tribe's federally-established reservation.

Section 8.08. Entire Agreement; Amendments. This Compact constitutes the entire understanding between the Parties and supersedes any and all prior or contemporaneous understandings and agreements, whether oral or written, between or among the Parties, with respect to the subject matter hereof. Subject to Section 8.04, this Compact can only be amended or modified with the same formality required to make the original Compact valid and enforceable.

Section 8.09. No Assignment; Beneficiaries. This Compact is personal in nature, and no Party may directly or indirectly assign or transfer it by operation of law or otherwise. Nothing in this Compact, express or implied, is intended to or shall confer upon any individual or entity, other than the Parties hereto, any right, benefit or remedy of any nature whatsoever under or by reason of this Compact; *provided, however,* that subject

to the terms and provisions of Article VII, each Tribal Claim Party (other than the Tribe) is an express third-party beneficiary of this Compact.

Section 8.10. Survival. Upon the termination or cancellation of this Compact, the obligations of the parties hereunder shall terminate, except that the provisions of Sections 7.01, 7.02, 7.03, 7.04, and 8.02 shall survive such termination or cancellation and the State's payment obligations pursuant to Section 4.02(a) shall survive such termination or cancellation only until satisfaction of such obligations.

Section 8.11. Severability. The terms, provisions, agreements, covenants and restrictions of this Compact are non-severable and, unless otherwise agreed to by the Parties, this Compact shall terminate if any term, provision, agreement, covenant or restriction in this Compact is held by a court of competent jurisdiction or other authority to be invalid, void, or otherwise unenforceable. In the event either Party has actual knowledge that the validity or enforceability of this Compact or any of its terms, provisions, agreements, covenants or restrictions are being challenged in a court of competent jurisdiction or other authority, such Party shall transmit written notice thereof to the other Party within three Business Days of acquiring such actual knowledge. The Parties agree to reasonably cooperate with each other and oppose any such challenge.

IN WITNESS WHEREOF, the Parties hereto have executed this Compact as of the respective dates indicated below.

Kickapoo Tribe in Kansas

The State of Kansas

By: LESTER RANDALL, *Chairperson*

By: SAM BROWNBACK, *Governor*

Date: December 1, 2016

Date: December 21, 2016

EXHIBIT A

The land described as follows is the subject of a Bureau of Indian Affairs fee-to-trust conversion for the beneficial use of the Kickapoo Tribe as authorized in accordance with Section 5 of the Indian Reorganization Act, 25 USC 465 and 25 USC 2719. This application is known at the Bureau of Indian Affairs as "Highway 75":

Tract No. 1

Commencing at the Southwest Corner of the Southwest Fractional One-Quarter (SW Fr ¼) of Section 34, Township 4 South, Range 15 East of the Sixth Principal Meridian, Brown County, Kansas; thence N89°59'51"E (assumed bearing) along the South line of said SW Fr ¼, 478.20 feet to intersect the East R/W line of US Highway No. 75, and to the *True point of beginning*; thence N0°43'44", 2646.55 feet along said East R/W line

to intersect the North line of said SW Fr ¼; thence S89°57'24" E, 631.33 feet along said North line to intersect the West R/W line of Old US Highway No. 75 (currently used as County Road R/W); thence following said West R/W line S0°09'54"W, 460.30 feet; thence S0°08'48"W, 770.01 feet; thence S0°08'48"W, 770.01 feet; thence S0°41'36"W, 229.92 feet; thence S0°45'55"W, 410.00 feet; thence S0°31'33"W, 573.60 feet; thence S0°37'32"W, 202.10 feet to the South line of the said SW Fr ¼; thence leaving said West R/W S89°59'51"W, 645.97 feet to the *point and place of beginning*. Said tract contains 38.95 acres, more or less.

Tract No. 2

Commencing at the Southwest Corner of the Northwest Fractional One-Quarter, (NW Fr ¼) of Section 34, Township 4 South, Range 15 East, 6th PM, Brown County, KS; thence S89°57'24"E (*assumed bearing*) along the South line of said NW Fr ¼, 472.33 feet to intersect the East R/W, line of US Highway No. 75, and to the *true point of beginning*, thence N0°43'44"E, 2552.02 feet along said East R/W line; thence N71°58'08"E, 82.91 feet to intersect the West R/W line of Old US Highway No. 75, thence following said West R/W line along a Curve to the left having a Radius of 630.00 feet, an arc length of 59.41 feet, a chord length of 59.39 feet, and a chord bearing of S47°38'55"E, thence S50°21'00"E, 360.00 Feet, thence following a Curve to the right having a Radius of 570.00 feet, an arc length of 504.71 feet, a chord length of 488.39 feet, and a chord bearing of S24°59'00"E; thence S89°37'00", 5.00 feet; thence S0°25'46"W, 1587.44 feet; thence S0°03'54"W, 223.67 feet; thence S0°09'54"W, 54.44 feet to the South line of the said NW Fr ¼; thence leaving said West R/W N89°57'24"W, 632.33 feet to the *Point and Place of Beginning*. Said tract contains 33.80 acres, more or less.

Tract No. 3

Commencing at the Northwest Corner of the Northwest Fractional One-Quarter (NW FR ¼) of Section 34, T4S, R15E, 6th PM, Brown County, KS; thence S89°52'20"E, (*assumed bearing*) along the North Line of said NW Fr ¼, 596.16 feet; thence S01°08'30"W, 50 feet to the intersection of the East R/W line of Old US Highway No. 75 with the South R/W line of K-20 Highway and to the *True Point of Beginning*; thence S89°52'20"E, 457.91 feet along said South R/W line; thence S0°23'00" W, 444.32 feet to intersect the E R/W line of Old US Highway No. 75; thence following said East R/W line along a Curve to the left having a Radius of 630.00 feet, an arc length of 258.04 feet, a chord length of 256.24 feet, and a chord bearing of N38°36'59"W; thence N50°21'00"W, 360.00 feet; thence following a Curve to the right having a Radius of 570.00 feet, an arc length of 23.57 feet, a chord length of 23.57 feet, and a chord bearing of N49°09'55"W to the *Point and Place of Beginning*. Said tract contains 2.06 acres, more or less.

and,

Commencing at the Southeast Corner of the Southwest Fractional One-quarter (SW FR ¼) of Section 27, Township 4 South, Range 15 East of the Sixth Principal Meridian, Brown County, Kansas, thence North 1° 15'02" West, 54.65 feet along the East line of

said SW FR ¼ to a point on the North Right-of-Way (R/W) line of Kansas Highway 20 (K-20) and the true point of beginning; thence following the North R/W line of said K-20, South 88° 08'52" West, 1794.13 feet; thence North 65° 20'21" West, 193.51 feet to a point on the East R/W line of US HWY 75 (US 75); thence following said East R/W line of US 75, North 0° 53'41" West, 2514.36 feet to a point on the North line of said SW FR¼; thence following said North line North 88° 29'48" East, 1952.95 feet; thence South 1° 15'02" East, 2588.64 feet to the point and place of beginning. Said tract contains 116.61 acres, more or less. Subject to all public roads, easements, reservations, restrictions, covenants and conditions, if any, now of record. and,

The East Half of the Northwest Fractional Quarter of Section 34, Township 4 South, Range 15 East of the 6th P.M., LESS a tract of land in the East half of the Northwest Fractional Quarter of Section 34, Township 4 South, Range 15 East of the 6th P.M., Brown County, Kansas described as follows: Beginning at a point 50.00 feet South of the Northeast corner of the Northwest Fractional Quarter; thence continuing South 0°27'13" West along the East line of the Northwest Fractional Quarter 532.27 feet; thence North 89°52'18" West 383.56 feet; thence North 0°27'13" East 418.61 feet; thence North 86°57'24" West 123.62 feet; thence North 0°27'13" East 107.36 feet to the South right of way of Highway K-20; thence South 89°52' 18" East along said right of way 507.06 feet to the POINT OF BEGINNING, containing 5.00 acres more or less, AND subject to a permanent easement reserved by the Grantor and Grantor's assigns, 30 feet in width across the northern boundary of said East half of the Northwest Fractional Quarter of Section 34, Township 4 South, Range 15 East of the 6th P.M., for purposes of servicing the Rural Water District line, and,

The land includes mineral and surface, and is not leased, adjoins trust lands on reservation, and is on reservation, and the land contains a vacant truck plaza.

Resolution No. KT17-30

RESOLUTION

WHEREAS, the Kickapoo Tribe in Kansas is organized in accordance with the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat 984), as amended by the Act of June 15, 1935 (49 Stat. 378); and

WHEREAS, the Kickapoo Tribe in Kansas is governed by the Kickapoo Tribal Council who is authorized under Article III of the Kickapoo Constitution and By-Laws which were approved by the Secretary of the Interior on February 26, 1937; and

WHEREAS, the Kickapoo Tribal Council is authorized under Article V, Section I(a) to negotiate with the Federal, State and local governments; and

WHEREAS, the Kickapoo Tribe has negotiated a compact with the State of Kansas relating to the cigarette and tobacco sales, taxation and escrow collection on compact lands of the Kickapoo Tribe in Kansas; and

WHEREAS, the Compact Relating to Cigarette and Tobacco Sales, Taxation and Escrow Collection will be introduced for approval during the 2017 Kansas legislative session; and

NOW THEREFORE BE IT RESOLVED, the Kickapoo Tribe hereby the Compact Relating to Cigarette and Tobacco Sales, Taxation and Escrow Collection between the State of Kansas and the Kickapoo Tribe in Kansas.

CERTIFICATION

The foregoing Tribal Council Resolution was adopted by the Kickapoo Tribal Council in a regular meeting called for by the Tribal Council Chairman on this 1 " day of December 2016, at which 6 members were present, constituting the required quorum, with 5 members voting for, 0 members voting against, with the Chairman not voting.

LESTER RANDALL, *Chairman*
FRED THOMAS, *Vice-Chairman*

REPORT ON ENROLLED RESOLUTIONS

HR 6005 reported correctly enrolled and properly signed on January 27, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, January 30, 2017.

Journal of the House

FIFTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, January 30, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Dove, Kiegerl, Schwab and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious Loving & Protective God,
Thank you for this new day –
the beginning of a new week.
Only You know what lies ahead from day to day,
so help us to trust you and lean upon You for guidance.
Yesterday we celebrated the birthday of our statehood.
Throughout these 156 years, you have been faithful
and have blessed this great state.
Through dust bowl, tornadoes, floods and ice storms,
You protected us.
Through momentous events such as bringing in the Santa Fe Railroad,
Brown vs Board of Education, and others,
You encouraged us to be progressive thinkers.
With the establishment of Veteran's Day as a national holiday,
You gave us determination and persistence
and a respect for those who give their lives to protect us.
And with the invention of the O'Henry candy bar in Arkansas City
and the ICEE machine in Coffeyville,
You've even helped us to remember to pause and enjoy life
and not take everything so seriously.
As You have been with us in the past,
I ask that You continue to be with us in the future;
otherwise we have no hope.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Markley.

CELEBRATION OF KANSAS DAY

In celebration of the 156th birthday of Kansas, Rep. Ballard led the members of the House in singing “Home on the Range.”

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Waymaster are spread upon the Journal:

As you all know Kansas turned 156 years old yesterday. On January 29, 1861 the territory of Kansas was admitted to the Union as the 34th state. To conclude our weekend long celebration, we have some special guests with us today who are bragging (if you will) on our state song!

As previously announced, a special film **Home on the Range** based on our famous song is playing today as a special premiere for legislators, staff and guests for Kansas Day here in our beautiful Capitol. The film is produced by Lone Chimney Films – a not for profit educational film company based in Kansas. It tells the story of the song, the cabin and the lawsuit that determined its origins. The film features the talents of Rance Howard (born in Dexter, KS) Buck Taylor (Newly from Gunsmoke) and our very own Mitch Holthus who grew up in Smith County near the famous cabin. His father, El Dean Holthus, raised such an awareness of the near worn-out cabin - which was even once used as a chicken coop - before more he spear headed an effort and collected over \$500,000 to save this Kansas treasure which still sits upon the original site where the song was written.

Celebrating the day with us in the Capitol are some very special guests:

Ken Spurgeon is the Executive Director of Lone Chimney Films and the Director of the film. Ken is a long time educator and historian.

Shawn Bell is the President of the Board of Lone Chimney Films and a co-producer of the film.

Neil Bontrager is the President of Sperra Studios and a co-producer/editor of Home on the Range.

Orin Friesen is a member of the board of Lone Chimney Films and a co-writer and music producer for Home on the Range.

Tom Lahay-who portrayed Dr. Brewster Higley in the film.

Also joining us is Grammy winning artist Michael Martin Murphey and Cindy Tune. Mr. Murphey has been a very big supporter of the restored and treasured Cabin located in Smith County – House District #109 & Senate #36–where the famous poem “My Western Home” was penned in the 1870’s by Dr. Brewster M. Higley and later put to music by Daniel E. Kelley. Mr. Murphey is a co-founder of The Murphey Western Institute and is dedicated to preserving the arts, culture, history and legacy of the American West. He once told us at a fund raiser in Smith Center for the cabin – when he wants to relax – he comes to Kansas – to the Cabin – to the Home on the Range!

You will be able to meet our guest as they introduce the film in the Visitors Center and I encourage you to take the time if possible to see this special film which celebrates our state song that is known worldwide, we can be proud to call it a Kansas Song and the film proves it! Please join me in welcoming these guests who preserved the history of our state’s song.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Concannon are spread upon the Journal:

I can remember, as a little girl at Parsons Elementary, on the outskirts of Salina, the most excitement (for me) all year was when the art teacher arrived with a big block of clay to carefully divide amongst the students for our annual foray into the world of art, specifically sculpting. Little did I know that as I fashioned my project, the greatest ashtray ever made according to my mother, we were in the presence of greatness. You see, my art teacher, Dr. Richard Bergen, is the sculptor of our Ad Astra that sits atop our Capitol dome. Although he is originally from New Jersey, he is truly a notable Kansan. He won the opportunity to place his sculpture atop the Capitol, and when the state had no money and denied its placement, he didn't let that small detail get in the way. He initiated a fund raising campaign and followed through for years, until Ad Astra was successfully mounted atop the Capitol. He continues to work in his Salina studio with his son Rich Bergen, who also joins us today. So today as we celebrate Kansas Day, we also honor this man who has played a significant role in Kansas history through his beautiful depiction of our state in his artwork. We thank you Dr. Bergen!

Rep. Concannon presented Dr. Bergen and his son, Rich, with House certificates and Ad Astra lapel pins.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2198, AN ACT concerning crimes, punishment and criminal procedure; relating to identification and detection of crimes and criminals; collection of biological samples, fingerprints and other identifiers; amending K.S.A. 2016 Supp. 21-2511 and repealing the existing section, by Committee on Judiciary.

HB 2199, AN ACT concerning counties; relating to conservation easements; amending K.S.A. 58-3811 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2200, AN ACT concerning workplace bullying, abuse and harassment of state employees; state agency policy to address and correct workplace bullying, abuse and harassment, by Committee on Federal and State Affairs.

HB 2201, AN ACT creating the taxpayer empowerment, accountability and transparency in state contracting act, by Committee on Federal and State Affairs.

HB 2202, AN ACT concerning drivers' licenses; expiration and renewal; fees; amending K.S.A. 2016 Supp. 8-240, 8-243 and 8-247 and repealing the existing sections, by Committee on Transportation.

HB 2203, AN ACT designating a portion of United States highway 75 as the SGT Eldon K Miller memorial highway; amending K.S.A. 2016 Supp. 68-1051 and repealing the existing section, by Committee on Transportation.

HB 2204, AN ACT concerning technical colleges; authorizing a property tax levy and bonding issuance by the governing board thereof; relating to capital outlay funds; amending K.S.A. 2016 Supp. 72-4441 and repealing the existing section, by Committee on Education.

HB 2205, AN ACT concerning vaccinations for meningitis, by Committee on Health and Human Services.

HB 2206, AN ACT concerning health and healthcare; relating to coverage for telemedicine; pertaining to the Kansas program for medical assistance; the secretary for children and families; certain state licensing agencies; establishing parity between in-person and telemedicine-delivered health care services and providers; amending K.S.A. 2016 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Health and Human Services.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—

By Representatives Carpenter, Claeys, DeGraaf, Esau, Garber, Highland, Houser, Huebert, Humphries, Jacobs, Jones, Kiegerl, Landwehr, Mason, Powell, E. Smith, Sutton, Thimesch, Weber and Whitmer

HCR 5007-- A PROPOSITION to amend the constitution of the state of Kansas by adding a new article thereto, prescribing certain limits upon assessments, revenues and expenditures by the state and establishing a budget stabilization fund and a debt prepayment fund in the state treasury.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: The constitution of the state of Kansas is amended by adding a new article 16 to read as follows:

"Article 16. – REVENUE, ASSESSMENT AND EXPENDITURE LIMITATIONS

"§ 1. Definitions. As used within this article:

(a) "State" means the state government including all branches, state offices, authorities, agencies, boards, commissions, institutions, instrumentalities and any division or unit of state government that are directly supported with tax funds;

(b) "bond" means any bond, note, debenture, interim certificate, grant and revenue anticipation note, lease-purchase agreement, lease certificate of participation or other evidence of indebtedness that, in any such case, is entered into or establishes a debt obligation for longer than one fiscal year, whether or not the interest on such is subject to federal income taxation;

(c) "fiscal year" means the twelve-month fiscal period prescribed by law for the state;

(d) "fiscal year spending" means all expenditures and reserve increases except, as to both:

- (1) Expenditures for refunds of any kind;
- (2) expenditures of moneys received from the federal government, moneys received as grants, gifts or donations that are to be expended for purposes specified by the donor, moneys that are collections for another government, moneys received for pension contributions by employees and pension fund

earnings; or

(3) budget stabilization reserve fund transfers, debt prepayment fund transfers, or expenditures in accordance with this article;

(e) "inflation" means the average changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding five calendar years, which shall not be less than zero;

(f) "population" means the more recent of either the periodic census conducted by the United States department of commerce or its successor agency, or the annual update of such census as prescribed by the legislature by law, which shall be adjusted every decade to match the federal decennial census;

(g) "total state revenue" means all moneys received by the state from any source, except any of the following:

(1) Moneys received for grants, gifts or donations that are to be expended for purposes specified by the donor;

(2) moneys received from the federal government; and

(3) moneys that are income earned on moneys in permanent endowment funds, trust funds, deferred compensation funds or pension funds and that are credited to such funds.

"§ 2. Supermajority for passage of certain bills for new or increased taxes. On and after July 1, 2019, a supermajority of two-thirds of the members then elected (or appointed) and qualified to each house, voting in the affirmative, shall be necessary to pass any bill enacting or amending any law creating any new state tax or increasing the rate of any existing state income tax, sales tax, compensating use tax or other excise tax or a tax in the nature of an excise tax, property tax, or tax in the nature of a property tax, or estate or inheritance tax, or a tax in the nature of an estate or inheritance tax, or any combination thereof.

"§ 3. Spending and revenue limits. (a) Except as provided by this section, for any fiscal year that commences on or after July 1, 2019, fiscal year spending by the state shall not increase above the fiscal year spending for the preceding fiscal year by more than the maximum percentage increase determined pursuant to this section. The maximum percentage increase in fiscal year spending for a fiscal year shall be equal to the result obtained by adding the rate of inflation for the calendar year ending during the preceding fiscal year, plus the percentage change in state population during the calendar year ending during the preceding fiscal year, if a positive number, adjusted for revenue changes resulting from acts enacted in accordance with section 2 of this article. The limitation imposed on fiscal year spending shall not apply to expenditures of moneys transferred to the state general fund from the budget stabilization fund or the debt prepayment fund pursuant to section 4 of this article.

(b) For any fiscal year that commences on or after July 1, 2019, the total state revenue limitation shall be determined in accordance with this section. If the amount of the total state revenue for the preceding fiscal year exceeds the amount of total state revenue for the second preceding fiscal year, the total state revenue limitation for a fiscal year shall be the result obtained by adding: (1) The lesser of: (A) The amount of total state revenue for the preceding fiscal year; or (B) the amount of the total state revenue limitation for the preceding fiscal year; and (2) the product of: (A) The amount determined under clause (1) of this

subsection; and (B) the sum of: (i) The rate of inflation for the calendar year ending during the preceding fiscal year; plus (ii) the percentage change in state population during the calendar year ending during the preceding fiscal year, if a positive number.

(c) No increase to the limitation imposed on fiscal year spending by this section may be authorized, unless the proposed law for increasing the spending limitation on a fiscal year first be submitted to a direct vote of the electors of the state at some general election, and, if such proposed law shall be ratified by a majority of all the votes cast at such general election, then the legislature next after such general election may enact such law and increase such fiscal year spending limitation.

(d) The legislature may enact laws to carry out the purposes of this section.

"§ 4. Budget stabilization fund and debt prepayment fund. (a) On July 1, 2019, a budget stabilization fund and a debt prepayment fund shall be established and maintained in the state treasury.

(b) For any fiscal year that commences on or after July 1, 2019, if the total state revenue exceeds the total fiscal year spending for that fiscal year, then, on July 1 of the ensuing fiscal year, such excess amount shall be transferred according to the following priority:

(1) To the budget stabilization fund, until the balance of such fund is an amount equal to 50% of the total state general fund spending for the preceding fiscal year; and

(2) to the debt prepayment fund, until the total amount of principal of bonded indebtedness serviced by appropriations from the state general fund equals 5% of the total state general fund spending for the preceding fiscal year.

(c) The legislature may provide, by law, for additional amounts of state revenue to be deposited in the budget stabilization fund and the debt prepayment fund.

(d) Any amount required to be maintained in the ending balance of the state general fund as provided by law shall be excluded from the amount available for transfer to the budget stabilization fund or debt prepayment fund.

(e) (1) Moneys in the budget stabilization fund may be invested as provided by law and the earnings thereon shall be retained in the budget stabilization fund as provided by law.

(2) Moneys in the debt prepayment fund may be invested as provided by law and the earnings thereon shall be retained in the debt prepayment fund as provided by law.

(f) (1) For any fiscal year that commences on or after July 1, 2019, if the amount of the total state revenue is less than the amount of the total state revenue for the prior fiscal year, the legislature may provide by enactment of a law for the transfer of moneys from the budget stabilization fund to the state general fund in an amount equal to the lesser of:

(A) Not more than the difference between the amount of the total state revenue for the prior fiscal year and the amount of the estimated total state revenue for the current fiscal year; or

(B) 50% of the balance in the budget stabilization fund.

(2) Under no other circumstances shall moneys be transferred or expended

from the budget stabilization fund.

(g) (1) Withdrawals from the debt prepayment fund may occur only to provide for calling and redeeming selected bonds for which debt service is paid by appropriations from the state general fund in accordance with their terms on or after their first optional redemption date and prior to maturity.

(2) Prior to any withdrawal from the debt prepayment fund authorized by this subsection, the governor shall be responsible for determining and selecting which bonds will produce the greatest debt service savings to the state general fund, and the attorney general shall be responsible for certifying that the selected bonds are available for optional redemption. Any withdrawal authorized by this subsection shall be provided for by law, enacted in a separate bill that does not include any other matter, except a statement that the conditions prescribed by this subsection exist, and the authority to transfer a specific amount of money from the debt prepayment fund to the state general fund for the purpose of calling and redeeming selected bonds.

(h) The legislature may enact laws to carry out the purposes of this section.

"§ 5. Disposition of excess revenues. (a) Any excess amount of total state revenues for a fiscal year that remains after the transfers to the budget stabilization fund and the debt prepayment fund pursuant to section 4 of this article, if any, shall be reserved in the current fiscal year and shall be refunded as provided by law during the next ensuing fiscal year to the taxpayers who paid the state ad valorem property taxes or state income taxes, or both, for the preceding fiscal year, in a manner that is proportional, on a pro rata basis, in the manner in which such taxes were collected from such taxpayers for such fiscal year. Any amount required to be maintained in the ending balance of the state general fund as provided by law shall be excluded from the amount available to be reserved and refunded by the state as prescribed by this section.

(b) In a case of any amount that is received pursuant to any tax and required to be reserved and refunded to taxpayers by the state pursuant to this section and that is determined by the state in the manner prescribed by law to be insufficient for refunds to be made during the ensuing fiscal year, such amount shall be reserved for refunds to be made thereafter when the amount reserved is sufficient therefor.

"§ 6. Temporary borrowing. On and after July 1, 2019, during any fiscal year, transfers that are temporary and are to be repaid, or any other temporary borrowing, through certificates of indebtedness or any other device or manner, of any moneys in the state treasury to be credited to the state general fund are prohibited, unless the moneys so transferred or otherwise borrowed are restored or repaid to the original funds or accounts of the state treasury from the state general fund within the same fiscal year. The provisions of this section do not apply to transfers from the budget stabilization fund or the debt prepayment fund to the state general fund in accordance with this article.

"§ 7. General revenue supplanting. On and after July 1, 2019, any appropriation of moneys from the state treasury that either supplants any appropriation from the state general fund, or, if not made, would require an appropriation from the state general fund is prohibited. For purposes of this section, any appropriation of moneys in the state treasury that is funded by user

charges for fees imposed on goods or services provided shall not be deemed to be an appropriation that supplants any appropriation from the state general fund.

"§ 8. Construction. (a) The provisions of this article shall be liberally construed for the purpose of effectuating the purposes thereof, except that nothing in this article shall be construed to authorize any new or increased tax of any kind, other than as provided or authorized by law enacted by the legislature in accordance with and subject to the other provisions of this constitution.

(b) In any case of a conflict between any provision of this article and any other provision contained in the constitution, the provisions of this article shall control.

(c) All laws in force at the time of the adoption of this amendment and consistent therewith shall remain in full force and effect until amended or repealed by the legislature. The legislature shall repeal or amend all laws inconsistent with the provisions of this article to conform with the provisions of this article."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. Beginning July 1, 2019, this amendment: (1) Would require a supermajority of $\frac{2}{3}$ of all members of the House and Senate to pass certain bills related to the creation of a new tax or the increase in the rate of an existing tax; (2) would impose spending and revenue limits on the state based on increases in the rate of inflation and population, with provisions to adjust for economic downturns or transferred functions; (3) would permit expenditures in excess of the limit imposed if authorized by a majority of the voters at a general election; (4) would provide for a budget stabilization fund to be used when state revenue declines; (5) would provide for a debt prepayment fund to be used to redeem state bonds payable from the state general fund to produce debt service savings; (6) would provide for excess state revenues, after transfers to the budget stabilization fund and debt prepayment fund, to be refunded to state property or income taxpayers; (7) would limit state temporary borrowing to that repaid within the same year and would prohibit the state from replacing general revenues with excessive fees and charges for goods and services; and (8) would govern in case of conflicts with statutes or other state constitutional provisions.

"A vote for this proposition would limit state legislative authority and would require a supermajority of $\frac{2}{3}$ of each house of the legislature for state tax increases or extensions, would impose state spending and revenue limits, would permit the legislature to exceed the spending limit upon the authorization of a majority of voters at a general election, would require excess state revenues to be reserved for economic downturns and reducing state debt, with limits, or to be refunded to taxpayers, and would limit state temporary borrowing.

"A vote against this proposition would continue the present constitutional and statutory authority for state government taxing and spending by law, for disposition of tax revenues and for other related matters in the exercise of the legislative power of this state."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the

journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at a special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Judiciary: **HB 2197**.

Veterans and Military: **HB 2196**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2025, AN ACT relating to assistant attorneys general; amending K.S.A. 74-1111 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Landwehr.

Present but not voting: None.

Absent or not voting: Dove, Kiegerl, Schwab, Sloan, Winn.

The bill passed.

HB 2027, AN ACT concerning the healing arts; relating to anatomic pathology billing; amending K.S.A. 2016 Supp. 65-2837 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson,

Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Landwehr.

Present but not voting: None.

Absent or not voting: Dove, Kiegerl, Schwab, Sloan, Winn.

The bill passed.

HB 2028, AN ACT concerning the mental health technician's licensure act; amending K.S.A. 65-4203 and 65-4208 and K.S.A. 2016 Supp. 65-4202 and 65-4212 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 2; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: DeGraaf, Landwehr.

Present but not voting: None.

Absent or not voting: Dove, Kiegerl, Schwab, Sloan, Winn.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2089**, **HB 2092** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2049** be amended on page 9, in line 30, after "officer" by inserting ", as defined in K.S.A. 2016 Supp. 21-5111(p)(1) and (3), and amendments thereto,"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2093** be amended on page 2, in line 18, by striking the third comma and inserting "or"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2033**, **HB 2035**, **HB 2054** be passed.

Committee on **Judiciary** recommends **HB 2053** be amended on page 1, in line 10, by striking "defendant" and inserting "person ordered to pay"; in line 11, by striking all after "all"; in line 12, by striking "offender"; also in line 12, by striking "the defendant" and inserting "such person"; in line 15, by striking "the defendant's" and inserting "such person's"; and the bill be passed as amended.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, January 31, 2017.

Journal of the House

SIXTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, January 31, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Gracious God,
Today is a new day for which we are thankful—
another opportunity to do and be
the people and leaders You intended.
Thank You for your compassionate heart.
I ask that you give each one a relentlessness
in being compassionate and to never give up.
Protect these leaders from being easily discouraged
and grant them spiritual and emotional strength
to endure the hard and difficult decisions they face.
Help them to eagerly trust in You and turn to You
for wisdom, understanding and direction.
Bring unity and community in the midst of
differing opinions and perspectives.
This I humbly ask of Your Son, Christ Jesus,
Amen.

The Pledge of Allegiance was led by Rep. Thompson.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Clark are spread upon the Journal:

This is the 50th anniversary of the largest body of water in the State of Kansas, Milford Reservoir, near my home in Junction City. I remember as a boy going out to watch the huge equipment move dirt and large rocks to create one of the most beautiful lakes in our State. Milford is also one of the sportsman's attractions in our State and a wonderful summer vacation site. There is also a newly opened convention center and restaurant at Acorn Resort. I would encourage all Kansans, who have not been, to come and enjoy a relaxing weekend at Milford this vacation season.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2207, AN ACT concerning wildlife; relating to hunting on private land by written permission only; criminal hunting; criminal trespass; amending K.S.A. 2016 Supp. 21-5810 and 32-1013 and repealing the existing sections, by Committee on Agriculture.

HB 2208, AN ACT concerning wildlife; relating to the transferability of deer permits, by Committee on Agriculture.

HB 2209, AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2016 Supp. 21-5702 and repealing the existing section, by Committee on Agriculture.

HB 2210, AN ACT concerning elections; dealing with cities and counties and regulation of temporary signs; amending K.S.A. 2016 Supp. 25-2711 and repealing the existing section, by Committee on Local Government.

HB 2211, AN ACT concerning elections; relating to campaign finance; limiting fundraising of certain state officers, by Committee on Local Government.

HB 2212, AN ACT concerning career technical education; relating to the postsecondary technical education authority; amending K.S.A. 2016 Supp. 72-4484 and repealing the existing section, by Committee on Education.

HB 2213, AN ACT concerning postsecondary education; relating to private and out-of-state postsecondary educational institution fees; amending K.S.A. 2016 Supp. 74-32,181 and repealing the existing section, by Committee on Education.

HB 2214, AN ACT concerning the Kansas offender registration act; relating to adult sex offenders; restrictions on loitering near or entering onto certain property; amending K.S.A. 2016 Supp. 22-4901 and repealing the existing section, by Committee on Judiciary.

HB 2215, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful voluntary sexual relations; opposite sex requirement; amending K.S.A. 2016 Supp. 21-5507 and repealing the existing section, by Committee on Judiciary.

HB 2216, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy; members of the same sex; amending K.S.A. 2016 Supp. 21-5504 and repealing the existing section, by Committee on Judiciary.

HB 2217, AN ACT concerning emergency opioid antagonists; relating to standards governing the use and administration thereof; education requirements; civil and criminal liability, by Committee on Health and Human Services.

HB 2218, AN ACT concerning schools; relating to the school sports head injury prevention act; amending K.S.A. 2016 Supp. 72-135 and repealing the existing section, by Committee on Health and Human Services.

HB 2219, AN ACT relating to diabetes information reporting, by Committee on Health and Human Services.

HB 2220, AN ACT concerning firearms; relating to the personal and family protection act; prohibiting postsecondary educational institutions from adopting certain regulations, by Committee on Federal and State Affairs.

HB 2221, AN ACT repealing K.S.A. 2016 Supp. 65-6230; concerning the health care compact, by Representative Ward.

HB 2222, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse or neglect; amending K.S.A. 2016 Supp. 38-2223 and

repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2223, AN ACT concerning campaign finance; dealing with late reports and civil fines, by Committee on Elections.

HB 2224, AN ACT concerning elections; relating to petitions; concerning recognition of political parties; amending K.S.A. 2016 Supp. 25-302a and 25-3602 and repealing the existing sections, by Committee on Elections.

HB 2225, AN ACT concerning elections; dealing with advance voting; amending K.S.A. 2016 Supp. 25-1122 and repealing the existing section, by Committee on Elections.

HB 2226, AN ACT concerning mental healthcare facilities; relating to Larned state hospital, Osawatomie state hospital and other facilities; privatization; prohibition thereof; amending K.S.A. 76-12a07 and K.S.A. 2016 Supp. 75-3373 and repealing the existing sections, by Representatives K. Jones, Alcalá, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Burroughs, Campbell, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Francis, Frownfelter, Gallagher, Gartner, Good, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Jacobs, Koesten, Kuether, Lewis, Lusk, Lusker, Mastroni, Miller, Murnan, Neighbor, Orr, Ousley, Parker, Phelps, Phillips, Ralph, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Trimmer, Vickrey, Ward, Weber, C., Weigel and Wolfe Moore.

HB 2227, AN ACT concerning property taxation; relating to the Kansas educational building fund; relating to use of moneys credited thereto; amending K.S.A. 76-6b02 and K.S.A. 2016 Supp. 76-6b01 and repealing the existing sections, by Committee on Taxation.

HB 2228, AN ACT concerning property taxation; relating to exemptions; allowing county appraisers to exempt certain property without order from the board of tax appeals; amending K.S.A. 2016 Supp. 79-213 and repealing the existing section, by Committee on Taxation.

HB 2229, AN ACT concerning property taxation; relating to classification and taxation of certain oil and gas equipment and materials; amending K.S.A. 79-329 and repealing the existing section, by Committee on Taxation.

HB 2230, AN ACT concerning property taxation; relating to certain property located within a federal enclave; authorizing the board of county commissioners to grant an exemption from property taxes, by Committee on Taxation.

HB 2231, AN ACT concerning tobacco; relating to rates of taxation, cigarettes and tobacco products; creating the cigarette and tobacco cessation fund; amending K.S.A. 79-3371 and 79-3378 and K.S.A. 2016 Supp. 79-3310, 79-3310c, 79-3311, 79-3312 and 79-3387 and repealing the existing sections, by Committee on Taxation.

HB 2232, AN ACT concerning adult care homes; relating to electronic monitoring, by Committee on Children and Seniors.

HB 2233, AN ACT concerning insurance; relating to exemptions from regulation as insurance; service contracts; amending K.S.A. 2016 Supp. 40-201a and repealing the existing section, by Committee on Insurance.

HB 2234, AN ACT concerning public health; relating to infectious disease testing; amending K.S.A. 65-6009 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Education: **HB 2204**.

Federal and State Affairs: **HB 2199, HB 2200, HB 2201**.

Health and Human Services: **HB 2205, HB 2206**.

Judiciary: **HB 2198**.

Taxation: **HCR 5007**.

Transportation: **HB 2202, HB 2203**.

COMMUNICATIONS FROM STATE OFFICERS

From J.L. Norwood, Secretary of Corrections, Kansas Department of Corrections; pursuant to K.S.A. 75-52,148, report of Crimes Committed by Sex Offenders while in Custody.

From Lee E. Tfanelli, Major General, Kansas National Guard, The Adjutant General; The Adjutant General's Department Annual Report for 2016.

From James R. Hubbard, Attorney for the Authority, Johnson County Education Research Triangle; in accordance with K.S.A. 19-5005(e), Annual Report for year ending June 30, 2016.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2098** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **HB 2084** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2085** be amended on page 3, in line 15, before "a" by inserting "a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006,"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2086** be amended on page 7, in line 29, after "A" by inserting "nonperson"; by striking all in lines 35 through 40; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HCR 5003** be adopted.

Committee on **Health and Human Services** recommends **HB 2030** be amended on page 1, in line 10, by striking "any" and inserting "influenza"; in line 12, before "pursuant" by inserting "and may administer vaccine, other than influenza vaccine, to a person 12 years of age or older"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2094** be passed.

Committee on **Veterans and Military** recommends **HB 2132** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Burroughs on Committee on General Government Budget on Tuesday, January 31, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, February 1, 2017.

Journal of the House

SEVENTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 1, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Reps. Alford and Kiegerl were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Will Main, pastor, Haskell Light Campus Ministry, Lawrence, and guest of Rep. Victors:

Dear Father in heaven, from You comes all rule and authority over the nations of the world for the punishment of evil doers and for the praise of those who do well.

Graciously regard your servants, those who make, administer, and judge the laws of this nation, and look in mercy upon all the rulers of the earth. Grant that all who receive the sword as Your servants may bear it according to Your command. Enlighten and defend them, and grant them wisdom and understanding that under their peaceable governance Your people may be guarded and directed in righteousness, quietness, and unity. And Father on this appointed day I pray blessings and peace over us your Native American people, Father grant us the desires of our heart, according to Your will and help us to live lives that are pleasing to you Father. Protect and prolong our lives that we with them may show forth the praise of Your name; through Jesus Christ our Lord.
Amen

Pledge by Rep. Victors.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Victors are spread upon the Journal:

Today, is Native American Legislative day at the capitol. I have the honor to recognize and introduce our Native American Elders in Kansas from all nations. The elders are the keepers of our culture and traditions. I want to thank them for all their

sacrifices they have made for their tribal nations in order for us to be here today. They have shared their wisdom and spiritual guidance with us by teaching us to respect mother earth and to help others. Please join me in recognizing the Native American elders of Kansas.

Rep. Victors presented House certificates to the Kansas Native American elders.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Hoffman are spread upon the Journal:

Last week we honored the 2017 Kansas Teacher of the Year, today I would like to honor the 2016 South Central Kansas Special Education Cooperative Teacher of the Year, Gina Hoffman from Coldwater Kansas. In August, she received this award after being selected from more than 100 fellow nominees from around the region. I know what you are thinking, Hoffman, that rings a bell. Yes, we are related, and it's definitely special for me to recognize her this morning. Not only has Gina been my sister-in-law for the last 27 years, she is also my former band teacher.

Gina Johnson began her career in 1981 fresh out of Fort Hays State University as the Coldwater USD 300 Jr./Sr. band instructor, a position she held at Coldwater for 17 years. An excellent teacher, her students always flourished and many times her bands and students received top honors at district, regional, and state contest; During those years, it was cool to be in the band and I have so many wonderful memories of band with Miss Johnson.

In 1990 she married my oldest brother, Roy, and soon after began work to get her Masters in Early Childhood Development from again Fort Hays, which she received in 1997. Incidentally, I graduated from High School in 1990, so I don't know if it was the trauma of dealing with my class all those years or being married to Roy, that prompted the change. All kidding aside, I know it was her desire to help and invest in students earlier in their lives, it has been a great move for Gina and the families and students in Comanche County; this award is the proof. She is now in her 18th year of teaching and working with 3-5 year olds with special needs at USD 300 through the Cooperative and just like her years teaching band, her students are excellent; she loves them and they adore her. Gina has been teaching for 35 years and I don't know how many more years she plans to teach, but I do know when retirement comes, her shoes will be very hard to fill.

It is with great honor that I present to Gina Hoffman this certificate from the Kansas House of Representatives and please help me recognize her for her many years of teaching and for being selected as the 2016 South Central Kansas Special Education Cooperative Teacher of the Year.

Rep. Hoffman presented a framed House certificate to Mrs. Hoffman.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2235, AN ACT concerning sales and use taxation; relating to the administration thereof; required notices and reports, by Committee on Taxation.

HB 2236, AN ACT concerning motor carriers; relating to drivers of taxis, limousines and for-hire vehicles, required training; amending K.S.A. 2016 Supp. 66-1,109 and 66-1,129 and repealing the existing sections, by Committee on Transportation.

HB 2237, AN ACT concerning taxation; relating to income taxation, rates, determination of income, tax credits; motor fuels tax, rates, trip permits, distribution; sales and compensating use tax, food and food ingredients; amending K.S.A. 2016 Supp. 32-1438, 39-7,132, 40-2246, 65-7107, 74-8206, 74-8304, 74-8316, 74-8401, 79-32,110, 79-32,117, 79-32,182b, 79-32,190, 79-32,200, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HB 2238, AN ACT concerning sales and compensating use tax; relating to exemptions, farm production machinery and equipment, definition; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2239, AN ACT concerning the scrap metal theft reduction act; relating to regulation by municipalities; amending K.S.A. 2016 Supp. 50-6,109f and repealing the existing section, by Committee on Judiciary.

HB 2240, AN ACT concerning the care and treatment of certain persons; enacting the crisis intervention act; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2016 Supp. 39-2001, 39-2002, 39-2003, 59-2978 and 59-29b78 and repealing the existing sections, by Committee on Judiciary.

HB 2241, AN ACT concerning water; relating to the state water plan fund; creating the surface water protection fee; creating the irrigation water use fee, by Committee on Water and Environment.

HB 2242, AN ACT concerning education; relating to the financing thereof; instruction and curriculum; creating the classroom-based funding act; amending K.S.A. 2016 Supp. 10-1116a, 12-1770a, 12-1775a, 72-1046b, 72-1398, 72-1414, 72-1923, 72-5333b, 72-6463, 72-6464, 72-6465, 72-6466, 72-6467, 72-6468, 72-6469, 72-6470, 72-6471, 72-6472, 72-6473, 72-6474, 72-6475, 72-6476, 72-6477, 72-6478, 72-6479, 72-6480, 72-6481, 72-6482, 72-6483, 72-6484, 72-64b01, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8230, 72-8233, 72-8236, 72-8251, 72-8316, 72-8415b, 72-8804, 74-4939a, 74-8925, 74-99b43, 79-201x, 79-2001 and 79-2925b and repealing the existing sections, by Committee on K-12 Education Budget.

HB 2243, AN ACT concerning schools; authorizing school security officers to use certain types of emergency safety interventions; amending K.S.A. 2016 Supp. 72-89d03 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2244, AN ACT concerning health and health care; relating to the department for health and environment; establishing the maternal mortality review committee, by Committee on Health and Human Services.

HB 2245, AN ACT concerning attorneys; relating to the supreme court nominating commission and judicial district nominating commissions; selection of chairperson and members; attorney licensure and information; applicability of open records act; amending K.S.A. 2016 Supp. 7-127, 20-122, 20-123, 20-130, 20-2904 and 20-2907 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 20-170, 20-171 and 20-2917, by Representatives Highberger and Becker.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2207, HB 2208, HB 2209.**

Children and Seniors: **HB 2232.**

Corrections and Juvenile Justice: **HB 2222.**

Education: **HB 2212, HB 2213.**

Elections: **HB 2210, HB 2211, HB 2223, HB 2224, HB 2225.**

Federal and State Affairs: **HB 2220.**

Health and Human Services: **HB 2217, HB 2218, HB 2219, HB 2221, HB 2226.**

Insurance: **HB 2233.**

Judiciary: **HB 2214, HB 2215, HB 2216, HB 2234.**

Taxation: **HB 2227, HB 2228, HB 2229, HB 2230, HB 2231.**

COMMUNICATIONS FROM STATE OFFICERS

From Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program; 2016 Annual Report.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2098, HB 2132** appearing on the Consent Calendar for the first day.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Williams in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Williams, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2002** be passed.

Committee report to **HB 2006** be adopted; also, on motion of Rep. Markley, **HB 2006** be amended, as amended by House Committee, on page 2, in line 13, after the second "the" by inserting "board of county commissioners adopting a resolution dividing the county into the number of districts approved by voters following the"; in line 18, by striking all after the second "the"; in line 19, by striking all before the period and inserting "board of county commissioners adopting such resolution"; in line 23, by striking "vacancy" and inserting "vacancies"; in line 24, by striking "has" and inserting "have"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2044** be amended on page 1, in line 11, after the period, by inserting "Reimbursement under such contracts for any one fiscal year shall not exceed \$1,000,000."; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2067** be amended on page 2, in line 34, after "(i)" by inserting "(1)"; in line 35, after "a" by inserting "state and";

On page 3, following line 1, by inserting:

"(2) The commissioner may conduct, or have a third party conduct, a background check on a person applying for a resident insurance agent license.";

Also on page 3, in line 2, before "Whenever" by inserting:

"(3) ";

Also on page 3, in line 2, after the comma by inserting "a background check, or both,"; in line 3, after the period by inserting:

"(4) ";

Also on page 3, in line 4, after "from" by inserting "a background check,"; and the bill be passed as amended.

Committee on **Water and Environment** recommends **HB 2066**, **HB 2080** be passed.

Committee on **Water and Environment** recommends **HB 2079** be amended on page 1, by striking all in lines 35 and 36; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2246, AN ACT concerning agriculture; relating to noxious weeds; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2016 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2016 Supp. 2-1327 and 2-1334, by Committee on Agriculture.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, February 2, 2017.

Journal of the House

EIGHTEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 2, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 122 members present.

Rep. Sloan was excused on legislative business.

Reps. Good and Kiegerl were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
For this new day You have created
for us to enjoy, we thank You.
The race is on for the next six weeks
to see who can predict the weather more accurately,
a hairy rodent or trained meteorologists.
But no matter what the weather may be doing outside,
inside here, we can anticipate all kinds of climate
as bills get introduced, discussed in committee,
and debated in general session.
There may be days when the atmosphere appears rather cold—
days when it will get pretty heated—
and days when the temperature is just right
and everyone is in agreement.
I ask You, Lord, that through it all,
You help these leaders keep cool heads
while maintaining a heated desire
to make decisions that You deem right for our people.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Ballard.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2247, AN ACT concerning legal publications; authorizing use of internet websites for legal publications; amending K.S.A. 12-1651 and 64-101 and repealing the existing sections, by Committee on Local Government.

HB 2248, AN ACT concerning consumer protection and common interest communities; amending K.S.A. 2016 Supp. 58-4609 and repealing the existing section, by Committee on Local Government.

HB 2249, AN ACT concerning workers compensation; relating to death benefits for children over the age of 18 enrolled in high school; amending K.S.A. 2016 Supp. 44-510b and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2246**.

Corrections and Juvenile Justice: **HB 2243**.

Health and Human Services: **HB 2244**.

Judiciary: **HB 2239**, **HB 2240**, **HB 2245**.

K-12 Education Budget: **HB 2242**.

Taxation: **HB 2235**, **HB 2237**, **HB 2238**.

Transportation: **HB 2236**.

Water and Environment: **HB 2241**.

COMMUNICATIONS FROM STATE OFFICERS

From Antonio J. Soave, Secretary of Commerce, Kansas Department of Commerce, in accordance with K.S.A. 2016 Supp. 12,17,169(c)(2)(A); 2017 STAR Bond Annual Report.

From Derek Schmidt, Kansas Attorney General, State of Kansas Office of the Attorney General, pursuant to K.S.A. 60-4117(d)(1); Annual report for Attorney General's State Medicaid Fraud Forfeiture Fund.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Concannon, **HR 6006**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6006**—

By Representative Concannon

HR 6006—A RESOLUTION recognizing February 3, 2017, as National Wear Red Day.

WHEREAS, Cardiovascular diseases kill one in three women in the United States, yet 80% of cardiac events may be prevented; and

WHEREAS, Cardiovascular diseases and strokes kill one woman every 80 seconds in the U.S.; and

WHEREAS, An estimated 44 million women in the U.S. are affected by cardiovascular diseases; and

WHEREAS, Ninety percent of women have one or more risk factors for developing heart disease; and

WHEREAS, Women are less likely to call 911 for themselves when experiencing symptoms of a heart attack than they are if someone else was having a heart attack; and

WHEREAS, According to a 2012 study by the American Heart Association, 36% of African-American women and 34% of Hispanic women know that heart disease is their greatest health risk, compared with 65% of Caucasian women, which has resulted in a greater emphasis by Go Red For Women on providing education to minority women; and

WHEREAS, The American Heart Association's Go Red For Women movement motivates women to learn their family histories and meet with their healthcare providers to determine their risks for cardiovascular disease and stroke; and

WHEREAS, Women involved with the Go Red For Women movement live healthier lives; and

WHEREAS, Go Red For Women encourages women to take charge of their health by knowing and managing these five numbers: Total cholesterol, HDL (good) cholesterol, blood pressure, blood sugar and body mass index (BMI): Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize February 3, 2017, as National Wear Red Day to raise awareness of the importance of the ongoing fight against heart disease and stroke by wearing the color red and urge all citizens to show their support for women by commemorating this day; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Concannon.

CONSENT CALENDAR

No objection was made to **HB 2098, HB 2132** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2002, AN ACT concerning the division of post audit; relating to purposes for which expenditures may be made by the division; exemption, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward,

Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Helgerson.

Present but not voting: None.

Absent or not voting: Good, Kiegerl, Sloan.

The bill passed.

HB 2006, AN ACT concerning counties; relating to the expansion of the board of county commissioners; amending K.S.A. 2016 Supp. 19-203 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker.

Present but not voting: None.

Absent or not voting: Good, Kiegerl, Sloan.

The bill passed, as amended.

On motion of Rep. Phillips, the House resolved into the Committee of the Whole, with Rep. Hineman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hineman, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Seiwert to amend **HB 2038**, the motion was withdrawn and **HB 2038** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **HB 2013** be amended on page 3, in line 10, by striking all after "(f)"; by striking all in lines 11 through 14; in line 15, by striking all before the period and inserting "A person who won the primary election as a result of the person's name being written in on the primary ballot shall have such person's name printed on the official general election ballot for national, state, county, township or

municipal office, unless the person notifies, in writing, the secretary of state for national or state office or the county election office for all other offices within 10 days following the canvass of the primary election that the person does not want such person's name on the official general election ballot"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2250, AN ACT concerning taxation; relating to income tax, determination of Kansas adjusted gross income, certain business income; sales and compensating use tax, rate, food and food ingredients; establishing the food sales tax reduction fund; amending K.S.A. 2016 Supp. 79-32,117, 79-32,269, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2251, AN ACT concerning elections; relating to audits; timing for canvassing; concerning requirements for voting machines; amending K.S.A. 2016 Supp. 25-3104, 25-4403 and 25-4406 and repealing the existing sections, by Representative Ousley.

HB 2252, AN ACT concerning education; amending K.S.A. 2016 Supp. 72-99a03 and 72-99a07 and repealing the existing sections, by Committee on Education.

HB 2253, AN ACT concerning health and health care; relating to scoliosis screening; requiring screening of all pupils enrolled in a school district or accredited nonpublic school, by Committee on Health and Human Services.

HB 2254, AN ACT concerning health and health care; relating to the practice of telehealth; pertaining to persons licensed to practice medicine and surgery and osteopathic medicine and surgery; the state board of healing arts; establishing definitions; licensure requirements; rules and regulations, by Committee on Health and Human Services.

HB 2255, AN ACT concerning insurance; relating to health benefit plans that provide dental services; establishing new requirements relating to information disclosure and claims processing, by Committee on Health and Human Services.

HB 2256, AN ACT concerning elections; dealing with the crime of electioneering; amending K.S.A. 2016 Supp. 25-2430 and repealing the existing section, by Committee on Elections.

HB 2257, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the armed services occupation medal license plate; amending K.S.A. 2016 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Committee on Veterans and Military.

HB 2258, AN ACT concerning criminal procedure; prohibiting psychiatric or psychological examinations; victim of certain offenses, by Committee on Judiciary.

HB 2259, AN ACT concerning crimes, punishment and criminal procedure; relating to preliminary hearings; hearsay; amending K.S.A. 2016 Supp. 22-2902 and repealing the existing section, by Committee on Judiciary.

HB 2260, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of probation; revocation; amending K.S.A. 2016 Supp. 22-3716 and repealing the existing section, by Committee on Judiciary.

HB 2261, AN ACT concerning sales taxation; relating to exemptions, certain veterans service organizations; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Representatives Corbet, Alcalá, Clark, Osterman, Phillips and Ruiz.

HB 2262, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from jurisdictions located outside the state of Kansas; amending K.S.A. 2016 Supp. 48-3602 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2263, AN ACT concerning the prison-made goods act of Kansas; relating to the sale of products to contractors and vendors of government entities; amending K.S.A. 2016 Supp. 75-5275 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2264, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; place of certain juvenile offenders; amending K.S.A. 2015 Supp. 38-2361, as amended by section 42 of chapter 46 of the 2016 Session Laws of Kansas and 38-2369, as amended by section 46 of chapter 46 of the 2016 Session Laws of Kansas and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2265, AN ACT concerning federal law enforcement officers; relating to the definition thereof; amending K.S.A. 2016 Supp. 22-2411 and 74-5602 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2266, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; lump-sum death benefit; amending K.S.A. 74-4989 and K.S.A. 2016 Supp. 74-49,315 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

HB 2267, AN ACT concerning the uniform consumer credit code; relating to consumer loans; amending K.S.A. 16a-2-401, 16a-2-404 and 16a-2-405 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

HB 2268, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; extending sunset date for exemptions; amending K.S.A. 2016 Supp. 74-4914 and 74-4937 and repealing the existing sections; also repealing K.S.A. 2016 Supp 74-4914f, by Committee on Financial Institutions and Pensions.

HOUSE CONCURRENT RESOLUTION No. **HCR 5008**—

By Committee on Water and Environment

HCR 5008— A PROPOSITION to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning the sales and compensating use tax and the state water plan fund, contributions.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 11 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 14. Sales and compensating use tax; state water plan fund, contributions. Commencing on July 1, 2019, and continuing on a quarterly basis, 0.1% of the sales and compensating use tax collected shall be remitted to the state treasurer and credited to the state water plan fund and such funds shall only be used for water-related purposes."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to provide for adequate funding of the state water plan.

"A vote for this proposition would provide, commencing on July 1, 2019, that 0.1% of the moneys collected from the existing sales and compensating use tax be deposited in the state water plan fund to implement the long-term vision for the future of the water supply in Kansas.

"A vote against this proposition would make no changes in current law with no portion of the existing sales and compensating use tax specifically allocated to the state water plan fund."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REPORT ON ENGROSSED BILLS

HB 2006 reported correctly engrossed February 1, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, February 3, 2017.

Journal of the House

NINETEENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 3, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 115 members present.

Reps. Seiwert, Sloan and Thimesch were excused on legislative business.

Reps. Good, Houser, Kelly, Kiegerl, Kuether, Osterman and Powell were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of all Creation,
Thank You for the blessings You
bestow upon us each and every day.
As the momentum continues to pick up
and the pace gets quicker
and days get longer,
remind these leaders of Your promise
that they need not fear, for You are with them.
They need not be dismayed, for You are their Lord God.
You will strengthen them and help them,
You will uphold them with Your righteous right hand.
This promise I claim for them today
in Your Son's Name,
Amen.
(Isaiah 41:10)

The Pledge of Allegiance was led by Rep. Wilson.

PERSONAL PRIVILEGE

Rep. Miller recognized Rep. Concannon for her published article appearing in *Stateline Midwest*.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2269, AN ACT concerning vehicles; relating to certificates of title, fees, disposition of moneys; amending K.S.A. 2016 Supp. 8-135, 8-139, 8-145, 8-170 and 8-198 and repealing the existing sections, by Committee on Transportation.

HB 2270, AN ACT concerning education; relating to the financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018 and June 30, 2019, for the department of education; creating the education finance act; amending K.S.A. 12-17,115 and 72-8803 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3607, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 72-6482, by Committee on K-12 Education Budget.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2249, HB 2263.**

Corrections and Juvenile Justice: **HB 2262, HB 2264, HB 2265.**

Elections: **HB 2251, HB 2256.**

Financial Institutions and Pensions: **HB 2266, HB 2267, HB 2268.**

Health and Human Services: **HB 2253, HB 2254, HB 2255.**

Judiciary: **HB 2258, HB 2259, HB 2260.**

Local Government: **HB 2247, HB 2248.**

Taxation: **HB 2250, HB 2252, HB 2261.**

Veterans and Military: **HB 2257.**

Water and Environment: **HCR 5008.**

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2210** from Committee on Elections and referral to Committee on Local Government.

MESSAGES FROM THE SENATE

Announcing passage of **SB 15, SB 17, SB 19, SB 22, SB 28, SB 30, and SB 43.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 15, SB 17, SB 19, SB 22, SB 28, SB 30, SB 43.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, to withdraw **HB 2038** from Final Action, pursuant to Rule 2306, the motion prevailed and the bill was re-referred to Committee on Commerce, Labor and Economic Development.

CONSENT CALENDAR

No objection was made to **HB 2098**, **HB 2132** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2098, AN ACT concerning wildlife, parks and tourism; relating to the mined land wildlife area, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Good, Houser, Kelly, Kiegerl, Kuether, Osterman, R. Powell, Seiwert, Sloan, Thimesch.

The bill passed.

HB 2132, AN ACT concerning the Kansas commission on veterans affairs office; relating to drug screening programs; safety sensitive positions; amending K.S.A. 2016 Supp. 75-4362 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 0; Present but not voting: 0; Absent or not voting: 10.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries,

Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Good, Houser, Kelly, Kiegerl, Kuether, Osterman, R. Powell, Seiwert, Sloan, Thimesch.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Sutton in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Sutton, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2055**, **HB 2045**, **HB 2043** be passed.

Committee report to **HB 2049** be adopted. Also, roll call was demanded on motion of Rep. Highberger to amend **HB 2049**, as amended by House Committee, on page 9, in line 31, by striking "(1) and (3)"

On roll call, the vote was: Yeas 46; Nays 64; Present but not voting: 1; Absent or not voting: 14.

Yeas: Alcalá, Ballard, Bishop, Burroughs, Carlin, B. Carpenter, Clayton, Cox, Crum, S., Curtis, Deere, Dove, Esau, Finney, Frownfelter, Gartner, Henderson, Hibbard, Highberger, Hodge, Holscher, Karleskint, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rahjes, Ruiz, Sawyer, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Brim, Campbell, Carmichael, Clark, Concannon, Corbet, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Garber, Hawkins, Helgerson, Highland, Hineman, Hoffman, Humphries, Jacobs, Jennings, Johnson, K. Jones, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, F. Patton, Phillips, Proehl, Rafie, Ralph, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Smith, A., Sutton, S. Swanson, Tarwater, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: Smith, E..

Absent or not voting: Blex, Claeys, Good, Houser, Huebert, Judd-Jenkins, Kelly, Kiegerl, Kuether, Osterman, R. Powell, Seiwert, Sloan, Thimesch.

The motion of Rep. Highberger did not prevail and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Health and Human Services** recommends **HB 2121** be amended on page 1, in line 5, after "(a)" by inserting "On and after July 1, 2020,"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2137** be passed.

Committee on **Judiciary** recommends **HB 2041, HB 2069, HB 2071** be passed.

Committee on **Judiciary** recommends **HB 2070** be amended on page 2, in line 2, by striking "confidential"; by striking all in lines 3 and 4; in line 5, by striking all before "pursuant" and inserting "considered personnel records that are not required to be disclosed under K.S.A. 45-221(a)(4), and amendments thereto. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 9, by Representative Shelee Brim, congratulating Mill Valley High School Football Team on winning the Class 5A 2015 and 2016 State Championships;

Request No. 10, by Representative Susan Concannon, honoring Dr. Richard Bergen for his exemplary artwork portraying beautiful Kansas;

Request No. 11, by Representative Ponka-We Victors, congratulating Pairie Band Potawatomi Nation Elder for passing down the traditions of the tribal nations;

Request No. 12, by Representative Ponka-We Victors, congratulating Kickapoo Tribe of Kansas Elder for passing down the traditions of the tribal nations;

Request No. 13, by Representative Ponka-We Victors, congratulating Iowa Tribe of Kansas and Nebraska Elder for passing down the traditions of the tribal nations;

Request No. 14, by Representative Ponka-We Victors, congratulating Sac and Fox Nation of Kansas Elder for passing down the traditions of the tribal nations;

Request No. 15, by Representative Ponka-We Victors, congratulating Sac and Fox Nation of Kansas Tribal Elder for passing down the traditions of the tribal nations;

Request No. 16, by Representative Ponka-We Victors, congratulating Sandra Victors, Ponka Tribal Elder for passing down the traditions of the tribal nations;

Request No. 17, by Representative Brandon Whipple, commending The Reverend Earl Mahan on his service to the Wichita community;

Request No. 18, by Representative Brandon Whipple, commending The Right Reverend Dean E. Wolfe on his service to the State of Kansas;

Request No. 19, by Representative Louis Ruiz, honoring Mexican Consul Alfonso Navarro-Bernachi and the country of Mexico for continued support of the relationship between Kansas and Mexico;

Request No. 20, by Representative Kristey Williams, congratulating Leadership Butler; in recognition for inspiring, educating, empowering and networking leaders of Butler County.

Request No. 21, by Representative KC Ohaebosim in memory of Dr. Evies Cranford;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2271, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; capital murder; person with intellectual disability; amending K.S.A. 2016 Supp. 21-6622 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2272, AN ACT concerning water; creating the Kansas water collaborative, by Committee on Water and Environment.

HOUSE CONCURRENT RESOLUTION No. **HCR 5009**—

By Representatives Garber, Awerkamp, Blex, Brim, Carpenter, DeGraaf, Delperdang, Ellis, Eplee, Good, Highland, Huebert, Jacobs, R. Powell, Smith, A. and Smith, E.

HCR 5009— A PROPOSITION to amend section 1 of the bill of rights of the constitution of the state of Kansas, relating to equal rights.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Section 1 of the bill of rights of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. **Equal rights.** All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness. *Recognizing the authority of the state of Kansas to exercise its police power and its sovereign right to adopt individual liberties in the constitution of the state of Kansas more expansive than those conferred by the constitution of the United States, the state of Kansas shall hereby guarantee the inalienable rights, equal protection and due process of law of every human being from the beginning of the biological development of that human being, including fertilization.*"

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. The purpose of this amendment is to expand the class of human beings that currently enjoy inalienable rights, equal protection, and due process of the law under the constitution of the state of Kansas to every human being from the beginning of the biological development of that human being, including fertilization.

"A vote for this proposition would amend the Kansas constitution to explicitly incorporate into it the inalienable right to life of every human being irrespective of age, race, gender, health, function, condition of dependency, including physical or mental dependency, or method of reproduction, from the beginning of their biological development, including fertilization. The proposed constitutional amendment also would prohibit the state from discriminating against any class of human beings in the application, interpretation and enforcement of its laws.

"A vote against this proposition would not amend the constitution, in which case the current federally mandated legal status of preborn humans would remain that of a class of human beings that can intentionally be killed."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, February 6, 2017.

Journal of the House

TWENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 6, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Rep. Concannon was excused on verified illness.

Rep. Jacobs was excused on legislative business.

Reps. Garber, Houser and Kiegerl were excused on excused absence by the Speaker.

Prayer by guest chaplain, Rhonda Kinser, founder of Rochelle's Place Women's Ministry, Liberal, and guest of Rep. Francis:

Heavenly Father,

I thank You that You are here with us today.

For all of those who are assembled together on, this February 6th, 2017, that You are present for us.

You are a safe and powerful place for us to find refuge!

You are a proven help in time of trouble; You're more than enough and always available whenever we need You.

Thank You, Father God, that You have showed up for us today, because You know there are those that are in this room right now that need a touch from You.

I pray that You will touch those that need healing in their bodies; those who are experiencing pain right now.

Spirit of God, touch them and deliver them from their pain.

I pray for those who feel a sense of heaviness from the cares that they carry for themselves, for their families, and for the people of the State of Kansas.

Lord, I speak release to them from whatever is causing them to feel heavy-laden today, I pray You would touch them and fill them with Your joy right now.

Your word says that "the joy of the Lord is our strength." So for those who need Your strength today, touch them now with a supernatural manifestation of Your joy.

Lord, I thank You that You are the Prince of Peace. That God You can give your children "peace that passes all

understanding.” Lord, let Your peace touch every heart and every mind in this room right now that calls out to You for peace.

Father, I thank You that You are faithful. Lord, even when we are not faithful, You remain faithful because You are always true to Your word.

Thank you Father for loving us. For Love truly conquers all! Holy Spirit touch each heart with Your love and dispel every fear.

Thank You for the honor and privilege of interceding for these servants of Kansas.

In Jesus’ name, Amen!

The Pledge of Allegiance was led by Rep. Francis.

INTRODUCTION OF GUESTS

The following remarks of Rep. Neighbor are spread upon the Journal:

It is with great honor that I stand before you today along with Representative Lusk and Representative Frownfelter to honor some members of the Broadmoor Bistro from the Shawnee Mission School District.

Recently the Broadmoor Bistro was named one of 10 Slow Food Restaurants that are Sustainable and Scrumptious according to USA Today. “The public enjoys multi-course dinner in the program’s gorgeous, 120-seat restaurant on Wednesday evenings during the school year. Many seasonal ingredients come from their own urban garden, as well as other local providers,” writer Lisa Waterman Gray, travel and food expert, wrote about the restaurant.

Chefs Robert Brassard and Justin Hoffman, recognized in 2016 with the Leadership Innovation Award at the Center of the Advancement of Food Service Education Conference in Chicago, lead the Shawnee Mission culinary arts program. They often state that the Broadmoor Bistro is where “education has never tasted so good.” Today, we have Chef Justin Hoffman and students Allen Pepito and Nora Engelken joining us here in the Capitol.

The culinary excellence is a benefit many of us in the community are able to enjoy each week at the restaurant as students serve their delectable dishes and gain hands-on experience in all areas of restaurant operations.

In recent years, the student’s urban garden has served as a food resource for the restaurant and an educational center for students and community members to learn about sustainable food practices.

Broadmoor Bistro students also frequently host guest chef events featuring acclaimed culinary artists from across the country. These talented chefs mentor Shawnee Mission students in preparing a five-course meal to serve in the restaurant.

Finally, please come and see our new Living Wall that will provide fresh basil, thyme, etc. for our students to use in their delectable dishes.

Rep. Lusk presented a framed House certificate to the Bistro members.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2273, AN ACT concerning consumer protection; relating to the Kansas no-call act; restricting use of automatic dialing-announcing devices; amending K.S.A. 2016 Supp. 50-670 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2274, AN ACT concerning immigration; relating to the Kansas highway patrol; authorizing a memorandum of agreement for the enforcement of immigration laws, by Committee on Federal and State Affairs.

HB 2275, AN ACT concerning immigration; relating to sanctuary policies and the prohibition thereof; relating to the duty of law enforcement to cooperate in immigration enforcement; litigation against municipalities, defense by attorney general, claim against the state, by Committee on Federal and State Affairs.

HB 2276, AN ACT concerning public health and safety; relating to dangerous regulated animals; pertaining to the sale, slaughter and acquisition of such animals; amending K.S.A. 2016 Supp. 32-1301, 32-1302, 32-1303, 32-1304, 32-1305, 32-1306, 32-1307, 32-1308 and 32-1310 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 32-1309, by Committee on Federal and State Affairs.

HB 2277, AN ACT concerning alcoholic beverages; dealing with common consumption areas; amending K.S.A. 2016 Supp. 41-2653 and repealing the existing section, by Committee on Local Government.

HB 2278, AN ACT concerning certain cemetery districts and the deannexation of territory located within a city, by Representative Huebert.

HB 2279, AN ACT concerning courts; relating to disposition of drivers' license reinstatement fees; judicial branch nonjudicial salary adjustment fund; amending K.S.A. 2016 Supp. 8-241 and 20-1a15 and repealing the existing sections, by Committee on Appropriations.

HB 2280, AN ACT concerning administrative rules and regulations; joint committee on administrative rules and regulations; state rules and regulations board; membership; amending K.S.A. 2016 Supp. 77-423 and 77-436 and repealing the existing sections, by Representative Ward.

HB 2281, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Kansas 4-H foundation license plate, by Committee on Transportation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2271**.

Elections: **SB 43**.

Federal and State Affairs: **HCR 5009**.

Financial Institutions and Pensions: **SB 15**.

Insurance: **SB 17, SB 19, SB 22**.

K-12 Education Budget: **HB 2270**.

Taxation: **SB 28, SB 30**.

Transportation: **HB 2269**.

Water and Environment: **HB 2272**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6007**—

By Representative Sutton

A RESOLUTION congratulating and commending Crysta Baier's fourth grade class at Edgerton Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program.

WHEREAS, KC Healthy Kids is a nonprofit advocacy program dedicated to improving the health of Kansas City metropolitan area children; and

WHEREAS, KC Healthy Kids is celebrating I Am Here on March 2, 2017, at the Kansas City Convention Center; and

WHEREAS, This event is KC Healthy Kids' youth photo contest, which is designed to empower students to speak out for healthy communities; and

WHEREAS, I Am Here lifts up the voices of students in grades 3-8 as they share their ideas about how to create a healthier Kansas City; and

WHEREAS, School districts throughout the Kansas City metropolitan area were invited to have classrooms submit captioned photos showing how their communities help or hinder healthy habits; and

WHEREAS, Through this contest, teachers help students think critically about how their surroundings — walking trails or broken sidewalks, safe playgrounds or blighted lots, schoolyard gardens or fast food restaurants — impact their health; and

WHEREAS, KC Healthy Kids has announced the first place award recipients for I Am Here, that includes Crysta Baier's fourth grade class at Edgerton Elementary School, located in beautiful Edgerton, Kansas; and

WHEREAS, First place award recipients received \$1,000 to promote student wellness, such as the purchase of new playground balls and pedometers, offering fruit and vegetable tastings or providing nutrition education and school wellness council projects; and

WHEREAS, The great state of Kansas affirms the importance of ensuring that all children have the knowledge and opportunities to eat healthy and be physically fit where they live, learn and play; and

WHEREAS, Actively engaged citizens and healthy communities are strengthened when young people are introduced to civic responsibility early through programs such as I Am Here: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Crysta Baier's fourth grade class at Edgerton Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative Sutton.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2043, AN ACT concerning insurance; relating to financial examination; requirements; amending K.S.A. 40-2912 and K.S.A. 2016 Supp. 12-2620 and 44-584 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 2; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Highberger.

Present but not voting: Ousley.

Absent or not voting: Concannon, Garber, Houser, Jacobs, Kiegerl.

The bill passed.

HB 2045, AN ACT concerning the state board of healing arts; institutional licenses; amending K.S.A. 2016 Supp. 65-2895 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Garber, Houser, Jacobs, Kiegerl.

The bill passed.

HB 2049, AN ACT concerning crimes and punishment; enacting the law enforcement protection act; relating to sentencing for crimes committed against a law enforcement officer; amending K.S.A. 2016 Supp. 21-6804 and repealing the existing section, was

considered on final action.

On roll call, the vote was: Yeas 112; Nays 8; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Wolfe Moore.

Nays: Awerkamp, DeGraaf, Finney, Henderson, Highberger, Ousley, K. Williams, Winn.

Present but not voting: None.

Absent or not voting: Concannon, Garber, Houser, Jacobs, Kiegerl.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote yes on **HB 2049**. Every day the men and women of law enforcement pin on their badge of office and strap on their firearm as they undertake their duty to protect. **HB 2049** will assure that those criminals who commit a crime that targets those charged with the duty of public protection pay a greater price for their crime. Whether on duty or at their home, no public protection pay a greater price for their crime. Whether on duty or at their home, no officer deserves to suffer from crimes committed against them just because of their title as police officer, deputy sheriff, trooper or agent.—J. RUSSELL JENNINGS, LEONARD MASTRONI, SHELEE BRIM, LONNIE CLARK, LEO DELPERDANG, LESLIE OSTERMAN, STEPHANIE CLAYTON, TOM COX, MARY MARTHA GOOD, DIANA DIERKS, MELISSA ROOKER, FRED PATTON, RONALD L. HIGHLAND, BRENDA DIETRICH, DON HINEMAN, MARK SCHREIBER, BILL SUTTON, JOHN WHITMER, LINDA GALLAGHER, DOUG BLEX, SUSIE SWANSON, BRENDA K. LANDWEHR, JOHN P. WHEELER, JR., KEITH ESAU

MR. SPEAKER: The Pledge of Allegiance ends with these words: “Liberty and Justice for all.” Equality for all. Fair treatment under the law for all. Despite one’s privilege, status, or occupation of choice. Every act of violence against our citizens, law enforcement or otherwise, should be legally prosecuted to the fullest extent of the law without bias. I believe every life is equally valuable and equally important to the fabric of our society. All citizens should be treated equally under the law. I vote no on **HB 2049**.—KRISTEY WILLIAMS, PETE DEGRAAF, FRANCIS AWERKAMP, GAIL FINNEY

HB 2055, AN ACT concerning the state board of pharmacy; powers, duties and functions thereof; amending K.S.A. 65-669, 65-1633, 65-1635, 65-1648, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1627, 65-1636, 65-1637, 65-1642, 65-1643, 65-1645, 65-1655, 65-1663, 65-1669, 65-1676, 65-2837a and 65-4202 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 65-1637b and 65-1651a, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, Garber, Houser, Jacobs, Kiegerl.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2109** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2282, AN ACT concerning alcoholic beverages; relating to the Kansas liquor control act; retailer's licenses; creating the local cereal malt beverage sales tax fund; amending K.S.A. 2016 Supp. 41-102, 41-301, 41-303, 41-304, 41-310, 41-311, 41-313, 41-326, 41-713 and 79-4108 and repealing the existing sections; also repealing K.S.A. 41-103 and 41-711 and K.S.A. 2016 Supp. 41-308, by Committee on Commerce, Labor and Economic Development.

HB 2283, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing addition modification related to retirement contributions by certain employees of the state board of regents; amending K.S.A. 2016 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2284, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful possession and transmission of a visual depiction of a child; amending K.S.A. 2016 Supp. 21-5610 and 21-5611 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Whipple on Committee on Higher Education Budget on February 6, 2017.

REPORT ON ENGROSSED BILLS

HB 2049 reported correctly engrossed February 3, 2017.

REPORT ON ENGROSSED RESOLUTIONS

HR 6006 reported correctly engrossed February 2, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6006 reported correctly enrolled and properly signed on February 6, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, February 7, 2017.

Journal of the House

TWENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 7, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Reps. Becker and Kiegerl were excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
We stand before You today grateful for
the many blessings and privileges You grant to us daily.
Help our leaders today to keep in their minds the thoughts of others,
to have a listening and receptive heart, and an open mind.
Keep them mindful that they represent the people of this state
and help them to do the will of what is best for the people.
May they draw upon the truth derived from a diversity of opinions
to form a solid foundation upon which a stable future can be established.
Help them to not get caught up in short-term gains or even in self-interest,
but help them to have clear analysis, wise depth perception,
and creative solutions for the common good of our state.
This I ask in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Kelly.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Reps. Hawkins and Wilson are spread upon the Journal.

Remarks of Rep. Hawkins:

Multiple sclerosis (MS) is a chronic, unpredictable neurologic disease that affects the central nervous system. Symptoms vary and may include: abnormal fatigue, vision problems loss of balance and muscle coordination, slurred speech, tremors, stiffness, bladder problems and cognitive and emotional changes. Some symptoms will come and go over the course of the disease while others can be permanent. There is no cure at this time.

Approximately 20-25% of individuals with MS need long-term care services at some point during their illness. Another 5% will require care in a long-term care facility. The average age of admission to a nursing home for a person with MS is 58.

MS research is good for Kansas' economy. Since 2008, NIH has awarded over \$762 million to Kansas institutions. The dollars are used for research and innovation at universities, medical centers and independent research institutes. NIH has helped make significant progress in understanding MS lesions and analyzing how the immune system responds to different stimulus. Approximately 20% of all FDA priority drugs are directly attributable to NIH researchers. NIH funding is the foundation of the biosciences industry and is essential for creating cures, discovering preventive measures and treatments.

The National Multiple Sclerosis Society advocates for changes in public policy to improve the quality of life for those with MS. Its priority policy areas focus on increased access to health care and prescription drugs, increased funding for MS research, healthcare transparency, long-term care services, and disability rights.

Remarks of Rep. Wilson:

Members of the Kansas MS Caucus will....

- Seek creative solutions to the challenges facing people with MS;
- Raise awareness and promote education about MS in our efforts to move closer to a world free of this disease;
- Network with others who would like to move closer to a world free of MS;
- Receive email communication about MS public policy priorities

Federal MS Caucus Members include Representative Lynn Jenkins, Kevin Yoder and Senator Jerry Moran.

The Kansas Senate MS Caucus Chair is Senator Dan Kershen.

Past House Chairs were Rep. Sue Boldra and Rep. James Todd, who each had a personal connection to MS. A chair with personal MS connection is needed for the 2017-18 session. Each legislator will have an orange folder delivered to their office that includes information about the caucus with MS Society contact information, if anyone is interested in becoming a House Chair.

Current House caucus members are Reps. Ballard, Barker, Bishop, Claeys, Concannon, Curtis, Corbet, Dierks, Gallagher, Hawkins, Hibbard, Johnson, Mason, Rooker, Ruiz, Sutton, Victors, Ward, Whipple, Wilson and Wolfe Moore.

Reps. Hawkins and Wilson were accompanied by family members and individuals who have a personal connection to Multiple Sclerosis. Rep. Hawkins read text of a resolution which will be introduced at a later date.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2285, AN ACT relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services, by Committee on Health and Human Services.

HB 2286, AN ACT concerning income taxation; relating to taxation of corporations, rate of normal tax; amending K.S.A. 2016 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

HB 2287, AN ACT concerning income taxation; relating to the Kansas itemized deduction; amending K.S.A. 2016 Supp. 79-32,120 and repealing the existing section, by Committee on Taxation.

HB 2288, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; requiring the use of generally accepted accounting principles; amending K.S.A. 2016 Supp. 72-8254 and repealing the existing section, by Committee on K-12 Education Budget.

HB 2289, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; participating service credit; amending K.S.A. 74-4913 and 74-4956 and repealing the existing sections, by Committee on Financial Institutions and Pensions.

HB 2290, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses, unlawful voluntary sexual relations; amending K.S.A. 2016 Supp. 21-5503, 21-5504, 21-5506 and 21-5507 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2291, AN ACT concerning the care and treatment for mentally ill persons; relating to transfer of custody; amending K.S.A. 2016 Supp. 59-2968 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2292, AN ACT concerning alcohol; relating to persons allowed to dispense alcohol; amending K.S.A. 2016 Supp. 41-308a, 41-308b, 41-354, 41-713, 41-2610 and 41-2708 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2293, AN ACT concerning civil procedure; relating to protection orders; protection from abuse act; protection from stalking act; amending K.S.A. 60-3102, 60-31a01, 60-31a03, 60-31a07, 60-31a08 and 60-31a09 and K.S.A. 2016 Supp. 21-5924, 60-31a02, 60-31a04, 60-31a05 and 60-31a06 and repealing the existing sections, by Representatives Ousley, Gallagher, Bishop, Brim, Burroughs, Carlin, Carmichael, Crum, S., Finney, Gartner, Henderson, Highberger, Kessinger, Koesten, Kuether, Lusk, Lusker, Parker, Ruiz, Sawyer, Schreiber, Smith, A., Stogsdill, Terrell, Trimmer, Weigel, Whipple and Wilson.

HB 2294, AN ACT concerning home and community based services; relating to targeted case management services, by Committee on Health and Human Services.

HB 2295, AN ACT concerning places of public accommodation; relating to public areas thereof; requiring closed captioning be enabled on certain televisions therein, by Committee on Health and Human Services.

HB 2296, AN ACT concerning the Kansas state board of cosmetology; membership thereon; merging the powers, duties and functions of the Kansas board of barbering into the Kansas state board of cosmetology; renaming the Kansas state board of cosmetology; amending K.S.A. 65-1,148, 65-1809, 65-1825a, 65-1826, 65-1920, 74-1807, 74-2701, 74-2702, 74-2702a and 74-2706 and K.S.A. 2016 Supp. 39-938, 65-1812, 65-1901, 65-1902, 65-1904a, 65-1904b, 65-1909, 65-1940, 65-2872, 74-2704, 75-2935 and 75-3717 and repealing the existing sections; also repealing K.S.A. 74-1805a and 74-1805b and K.S.A. 2016 Supp. 74-1806, by Committee on Health and Human Services.

HB 2297, AN ACT concerning health and healthcare; relating to nurse aides; pertaining to training requirements; amending K.S.A. 65-5115 and K.S.A. 2016 Supp. 39-936 and 39-1908 and repealing the existing sections, by Committee on Health and

Human Services.

HB 2298, AN ACT concerning the Kansas board of barbering; relating to fees; amending K.S.A. 2016 Supp. 65-1817 and repealing the existing section, by Committee on Health and Human Services.

HB 2299, AN ACT establishing an independent home and community based services ombudsman, by Committee on Health and Human Services.

HB 2300, AN ACT concerning the state health care benefits program; enacting the Rx transparency act; relating to pharmacy benefits managers; requirements and fiduciary duties; audit of the pharmacy benefits management contract, by Committee on Health and Human Services.

HB 2301, AN ACT concerning legislative review of exceptions to disclosure of public records; amending K.S.A. 2016 Supp. 45-229 and 75-7d08 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 45-229c, by Committee on Judiciary.

HB 2302, AN ACT concerning animals; relating to the custody and disposition of cruelly treated animals; amending K.S.A. 2016 Supp. 21-6412 and 21-6414 and repealing the existing sections, by Committee on Judiciary.

HB 2303, AN ACT concerning elections; dealing with the office of president; concerning criteria to have the person's name on the ballot, by Committee on Elections.

HB 2304, AN ACT concerning child care facilities; relating to infant sleeping equipment and sleeping areas; amending K.S.A. 2016 Supp. 65-508 and repealing the existing section, by Representative Burroughs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2279**.

Commerce, Labor and Economic Development: **HB 2282**.

Corrections and Juvenile Justice: **HB 2284**.

Federal and State Affairs: **HB 2273, HB 2274, HB 2275, HB 2276, HB 2280**.

Local Government: **HB 2277, HB 2278**.

Taxation: **HB 2283**.

Transportation: **HB 2281**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2184** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2252** from Committee on Taxation and referral to Committee on Education.

Also, the withdrawal of **HCR 5007** from Committee on Taxation and referral to Committee on Federal and State Affairs.

Also, the withdrawal of **SB 15** from Committee on Financial Institutions and Pensions and referral to Committee on Insurance.

COMMUNICATIONS FROM STATE OFFICERS

From Derek Schmidt, Kansas Attorney General, State of Kansas Office of the Attorney General; pursuant to K.S.A. 74-7316, 2016, Annual Report of the Crime Victims Compensation Board.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

CONSENT CALENDAR

No objection was made to **HB 2109** appearing on the Consent Calendar for the first day.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2035, HB 2094** be passed.

Committee report to **HB 2053** be adopted; and the bill be passed as amended.

Committee report to **HB 2093** be adopted; also, on motion of Rep. Finch, **HB 2093** be amended, as amended by House Committee, on page 3, in line 15, by striking "this act" and inserting "section 1 of chapter 5 of the 2015 Session Laws of Kansas" and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2191, HB 2192** be passed.

Committee on **Financial Institutions and Pensions** recommends **HB 2110** be amended on page 2, in line 14, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Financial Institutions and Pensions** recommends **HB 2111** be amended on page 1, in line 19, after "to" by inserting "50% of the member's final average salary; or, for deaths occurring on or after July 1, 2016, "; in line 23, by striking ", which" and inserting ". Such spouse's benefit"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2305, AN ACT concerning postsecondary educational institutions; relating to the Kansas private and out-of-state postsecondary educational institution act; exempting Cleveland university; amending K.S.A. 2016 Supp. 74-32,164 and repealing the existing section, by Committee on Higher Education Budget.

HB 2306, AN ACT concerning the Kansas sexually violent predator act; relating to examinations; transitional release; conditional release; amending K.S.A. 2016 Supp. 59-29a08, 59-29a10 and 59-29a18 and repealing the existing sections, by Committee on Judiciary.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, February 8, 2017.

Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 8, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 122 members present.

Rep. Becker was excused on verified illness.

Reps. Clayton and Kiergerl were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
For a new day to be used as Your servant,
and servants of the people, we thank You.
Lord, most – if not all – of the focus on these leaders
is based upon what they do or don't do.
Help them to realize that in order to do what is right,
they must be cognizant of who they are—
of their being.
To be the most affective in being good people,
remind them of the attitudes of being that Your Word
gives us in the Gospel of Matthew.
“They are blessed when they are at the end of their rope –
with less of them there is more of God and His rule.
They are blessed when they are content with just who they are—
no more, no less.
That is the moment when they find themselves proud owners
of everything that can't be bought.
They are blessed when they care.
At that moment of being full of care,
they find themselves being cared for.
They are blessed when they get their inside world—
their mind and heart—put right.
Then they can see God in the outside world.
They are blessed when they can show people
how to cooperate instead of compete or fight.
That's when they discover who you really are,
and their place in Your family.”

These attitudes of being I pray for them today
 through the help and blessing of Your Son,
 Amen.

(Matthew 5, *The Message*)

The Pledge of Allegiance was led by Rep. Blex.

INTRODUCTION OF GUESTS

Rep. Williams was joined by members of Leadership Butler on the House floor.

There being no objection, the following remarks of Rep. Williams are spread upon the Journal:

It's my honor to recognize Leadership Butler for all their efforts to improve the lives of residents within Butler County.

Leadership Butler is a non-profit organization chartered in 1988 with the purpose of inspiring leadership among both adults and youth. LB builds networks and skills of our County Leaders by visiting communities within Butler county and learning those civic, business, and even educational challenges that are unique to each city. The program is all about empowering individuals to exercise their leadership through development of skills, personal experiences, and opportunities to engage and participate with a civic cause chosen by each leadership class.

There have been over 850 participants successfully complete the Leadership Butler program.

It's with great pride that I ask you all to join me in recognizing Leadership Butler for the difference they are making in our communities.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Brim are spread upon the Journal:

On the floor with me today are coaches and players from the Mill Valley High School football team in the De Soto School District which is located in western Shawnee. We are honoring them here today for winning two 5A back-to-back state championships.

I would like to introduce the representatives from the team: Jack Bauer, Brody Flaming, Blaine Boudreaux, Joel Donn, D.J. Graviette, Ben Hartman, Keegan Zars and Head Coach Joel Applebee.

As some of you may know, I retired from teaching at the end of the 2015-2016 school year so the students from Mill Valley have a special place in my heart. Some of the players on the team were once my first graders and my daughter used to babysit Ben!

In 2015, the team finished the season with a 12-1 record and became the Class 5A State Champs!

Other awards included:

23 All-League players

14 Topeka Capital Journal All-State players

Christian Jegen — Simone Award Finalist, Otis Taylor Award, USA Today Kansas Offensive Player of the Year, Kansas Gatorade Player of the Year

Kansas 5A Coach of the Year and Kansas All Class Coach of the Year

In 2016, the team finished the season with a 9-4 overall record and became the Class 5A State Champs again!

Other honors included:

Kansas Football Coaches Association All-State Team: Joel Donn, Ben Hartman, Keegan Zars

Topeka Capital Journal/Wichita Eagle All-State Team: Joel Donn, Keegan Zars

Kansas Shrine Bowl: Keegan Zars

Let's hear it for the Mill Valley Jaguars!

Rep. Brim presented House certificates to team members and a framed House certificate to Coach Applebee.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2307, AN ACT concerning healthcare; relating to withholding life-sustaining treatment from patients under 18 years of age; permission requirements and exceptions; dispute resolution, by Representatives R. Powell, Arnberger, Awerkamp, Blex, Campbell, B. Carpenter, Corbet, DeGraaf, Dove, Eplee, Esau, Humphries, Jacobs, K. Jones, Karleskint, Lakin, Osterman, F. Patton, Proehl, Rafie, Schreiber, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Weber, C. and Whitmer.

HB 2308, AN ACT concerning suicide evaluation upon admission to certain treatment of facilities, by Representative Houser.

HB 2309, AN ACT concerning the revised Kansas code for care of children; relating to reports and records concerning a child alleged or adjudicated to be in need of care; amending K.S.A. 2016 Supp. 38-2212 and repealing the existing section, by Committee on Children and Seniors.

HB 2310, AN ACT concerning elections; dealing with municipal elections and other election laws; amending K.S.A. 10-120 and 25-1903 and K.S.A. 2016 Supp. 25-1122 and 25-2110a and repealing the existing sections, by Committee on Elections.

HB 2311, AN ACT concerning water; relating to water quality protection projects; maintenance requirements, by Committee on Water and Environment.

HB 2312, AN ACT concerning agriculture; relating to administrative procedure; division of water resources; fertilizer; amending K.S.A. 2016 Supp. 2-1201b, 2-1201c, 2-1208a, 82a-737 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 82a-1902, by Committee on Water and Environment.

HB 2313, AN ACT concerning the Kansas lottery; dealing with lottery ticket vending machines; repealing the lottery sunset; amending K.S.A. 2016 Supp. 74-8702 and repealing the existing section; also repealing K.S.A. 2016 Supp. 74-8723, by Committee on Federal and State Affairs.

HB 2314, AN ACT concerning economic development; relating to redevelopment districts, use of ad valorem tax revenues, issuance of bonds, by Committee on Taxation.

HB 2315, AN ACT concerning state finances; relating to business entities, annual filing fees; income tax, rates, certain modifications of Kansas adjusted gross income,

community services contributions credit; cigarettes and tobacco products, rates; alcoholic beverages, liquor enforcement, rates; amending K.S.A. 79-3371 and 79-3378 and K.S.A. 2016 Supp. 17-2036, 17-7503, 17-7505, 17-76,139, 56-1a606, 56-1a607, 56a-1201, 56a-1202, 79-32,110, 79-32,117, 79-32,196, 79-32,197, 79-32,198, 79-3310, 79-3310c, 79-3311, 79-3312 and 79-4101 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,199a and 79-32,199b, by Committee on Taxation.

HB 2316, AN ACT concerning the minimum wage; enacting the Kansas working families pay raise act; amending K.S.A. 2016 Supp. 44-1203 and repealing the existing section, by Representative Ward.

HB 2317, AN ACT concerning labor and employment; relating to training requirements for work on electrical transmission lines, by Representative Whipple.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2304**.

Corrections and Juvenile Justice: **HB 2290, HB 2291, HB 2292**.

Elections: **HB 2303**.

Financial Institutions and Pensions: **HB 2289**.

Health and Human Services: **HB 2285, HB 2294, HB 2295, HB 2296, HB 2297, HB 2298, HB 2299, HB 2300**.

Higher Education Budget: **HB 2305**.

Judiciary: **HB 2293, HB 2301, HB 2302, HB 2306**.

K-12 Education Budget: **HB 2288**.

Taxation: **HB 2286, HB 2287**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2036** from Committee on Commerce, Labor and Economic Development and referral to Committee on Transportation and Public Safety Budget.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6008**—

By Representative Hawkins

A RESOLUTION designating February 7, 2017, as Multiple Sclerosis Action Day at the Capitol.

WHEREAS, Multiple sclerosis (MS) is a neurological disease of the central nervous system affecting 2.3 million people worldwide; and

WHEREAS, The National Multiple Sclerosis Society – Mid America Chapter reports that nearly 5,000 people are living with MS in Kansas, that the disease generally strikes people in the prime of life, between the ages of 20 and 50, that the cause and course of the often- debilitating symptoms of MS remain unknown and that no cure currently exists; and

WHEREAS, The National Multiple Sclerosis Society has been committed to creating a world free of MS for more than 70 years by heightening public knowledge, awareness

and insight into the disease; and

WHEREAS, Since 1946, the National Multiple Sclerosis Society has been a driving force of MS research by investing more than \$900 million into groundbreaking research, and relentlessly pursuing prevention, treatments and a cure for the disease; and

WHEREAS, Funds raised through the National Multiple Sclerosis Society fuel \$42.1 million in funding for 380 research projects at the best medical centers, universities and other institutions throughout the U.S. and abroad, leading to many breakthroughs in the treatment of MS; and

WHEREAS, Stopping MS in its tracks, restoring what has been lost, and ending MS forever is the mission of the National Multiple Sclerosis Society, and one that all Americans and Kansans should support; and

WHEREAS, Walk MS events are scheduled this spring in Kansas City, Hays, Hiawatha, Lawrence, Manhattan, Salina, Topeka and Wichita; and

WHEREAS, The State of Kansas recognizes the importance of finding the cause and cure of MS and expresses its appreciation for the dedication that the National Multiple Sclerosis Society – Mid America Chapter has shown toward creating a world free of MS: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate February 7, 2017, as Multiple Sclerosis Action Day at the Capitol, commend this observance to all of our citizens, and encourage all Kansans to learn more about MS and what they can do to support individuals and their families who struggle with MS; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Hawkins.

CONSENT CALENDAR

No objection was made to **HB 2109** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2035, AN ACT concerning criminal procedure; relating to post-trial motions, correction of sentence; amending K.S.A. 22-3504 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E.,

Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: Becker, Clayton, Kiegerl.

The bill passed.

HB 2053, AN ACT concerning courts; relating to collection of debts owed to the courts; domestic cases; amending K.S.A. 2016 Supp. 20-169 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Becker, Clayton, Kiegerl.

The bill passed, as amended.

HB 2093, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; juvenile adjudications; amending K.S.A. 2016 Supp. 21-6810 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 21; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Concannon, Cox, Crum, S., Curtis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward,

Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, B. Carpenter, Claeys, Corbet, E. Davis, Esau, Garber, Good, Highland, Hoffman, Huebert, Jacobs, K. Jones, Landwehr, Mason, Osterman, Schroeder, Seiwert, Sutton, Thimesch, Whitmer.

Present but not voting: None.

Absent or not voting: Becker, Clayton, Kiegerl.

The bill passed, as amended.

HB 2094, AN ACT concerning municipalities; amending K.S.A. 12-2908 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Becker, Clayton, Kiegerl.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Mason in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Mason, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2092** be passed.

Committee report to **HB 2067** be adopted; and the bill be passed as amended.

Committee report to **HB 2013** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2048** be amended on page 1, in line 6, by striking all after "Section 1."; by striking all in lines 7 through 36;

On page 2, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting: "The state board of education shall:

(a) Implement statewide standards that assure all public school teachers annually receive training and education on identifying likely warning signs indicating that a child may be a victim of sexual abuse;

(b) review and consider statewide social and emotional standards for student education that inform students of the difference between appropriate and inappropriate conduct, actions a child may take to be protected from child sexual abuse and methods for reporting any instance of abuse. The review may include, but not necessarily be limited to:

- (1) The age of the students to receive the instruction;
 - (2) requirements for parental notification and the ability for a parent to exclude a child from such instruction;
 - (3) best practices in instructional content and delivery methods to achieve desired educational outcome; and
 - (4) collaboration with subject matter experts and child advocates; and
- (c) submit a report of progress and any plan or standards developed with regard to those items listed in subsections (a) and (b) by February 1, 2018, to the legislature";

On page 1, in the title, in line 2, by striking all after "abuse"; in line 3, by striking "law"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2102** be passed.

Committee on **Transportation** recommends **HB 2096** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2318, AN ACT concerning arts industries; creating the Kansas arts commission and transferring to it certain functions from the Kansas creative arts industries commission; amending K.S.A. 2016 Supp. 8-1,161, 74-5207, 74-5209, 74-7901, 75-2269, 75-5072 and 79-3221m and repealing the existing sections, by Representative Stogsdill.

HB 2319, AN ACT concerning abortion; relating to the woman's-right-to-know act; relating to certain physician information to be disclosed; amending K.S.A. 2016 Supp. 65-6709 and repealing the existing section, by Representatives Arnberger, Awerkamp, Blex, Cox, DeGraaf, Ellis, Esau, Garber, Highland, Huebert, Humphries, Jacobs, Landwehr, Osterman, Raffie, Rahjes, Vickrey, Weber, C. and K. Williams.

HB 2320, AN ACT concerning criminal procedure; relating to warrants; disclosure; amending K.S.A. 2016 Supp. 22-2302 and repealing the existing section, by Committee on Judiciary.

HB 2321, AN ACT concerning grand juries; relating to sufficiency of petitions; right to appeal; amending K.S.A. 2016 Supp. 22-3001 and 25-3601 and repealing the existing sections, by Committee on Judiciary.

HB 2322, AN ACT concerning sales taxation; relating to exemptions; certain sales of school supplies, computers and clothing, sales tax holiday; amending K.S.A. 2016

Supp. 79-3606 and repealing the existing section, by Representative K. Jones.

HB 2323, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirants, by Committee on Appropriations.

HB 2324, AN ACT concerning education; relating to the financing and instruction thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the school district finance and quality performance act of 2017; amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3607, 72-3711, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8237, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 72-6482, by Committee on Appropriations.

HB 2325, AN ACT concerning labor organizations; relating to fair share charitable fees; enacting the fair share act; amending K.S.A. 44-803 and repealing the existing section, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2065** from Committee on Health and Human Services and referral to Committee on Appropriations.

REPORT ON ENGROSSED BILLS

HB 2053, **HB 2093** reported correctly engrossed February 7, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, February 9, 2017.

Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 9, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Rep. Becker was excused on verified illness.

Rep. Kiegerl was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God our Help and Provider,
 as the Psalmist David once sang out,
 “I lift up my eyes to the hills—
 where does my help come from?
 My help comes from the Lord,
 the Maker of heavens and earth.”
 I ask, Lord, that you give help to these leaders today.
 Watch over them as they meet in this session
 and in various committees throughout the day.
 Guard their hearts—
 for what is in their hearts
 will be revealed through their words and actions.
 Open their ears and minds
 so they will listen and be understanding.
 Help them to stand strong in their convictions,
 but give them humility in realizing another solution may be better.
 All these things You have promised to provide if we just ask.
 So I ask and pray this in Christ’s Name,
 Amen.

The Pledge of Allegiance was led by Rep. Hibbard.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Ruiz are spread upon the Journal:

Good morning Colleagues, it's always an honor to welcome diplomats from other countries to the Kansas House. This morning we have joining us a delegation from the Mexican Consulate based in Kansas City, Missouri.

It is an honor to have Consul Alfonso Navarro-Bernachi here with us today at the Kansas State Capitol. Mr. Bernachi received his Master degree in Diplomatic Studies rewarded by the Mexican Secretariat of Foreign Relations. Among Mr. Bernachi's many accomplishments a few of them are serving as the Deputy Director General for Consular Protection of Mexico Abroad, Deputy Consul General and Consul for Legal and Border Affairs.

The trade between Mexico and Kansas is among the highest in the Midwest. Mexico ranks as an export market for the state of Kansas at 17.0% with Mexico being Kansas' second largest export market.

We in the state of Kansas export 1.8 billion dollars to Mexico and receive 1.8 billion dollars in imports. We wish to continue that level of trade and in the near future raise the bar and with the continued efforts of Consul Navarro-Bernachi, Secretary Soave, make Kansas an example of an international relationship that benefits both the State of Kansas and the United Mexican States.

Please help me extend a warm welcome to the Kansas House to Consul Navarro-Bernachi!

Rep. Ward welcomed Consul Navarro-Bernachi and his staff to the House.

Rep. Ruiz presented the guests with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Elliott are spread upon the Journal:

Today we celebrate Kansas Aviation Day and recognize some of the major companies and institutions which have contributed over the years in designating our state and the City of Wichita as the Air Capital.

Aviation has been part of Kansas for over a century. In fact, history indicates that the first plane built in Kansas was here in Topeka in 1910. In Wichita, Clyde Cessna was the first to build a complete airplane in 1917 with its first flight in 1918.

The aviation industry has touched me personally for all of my life. My late father was an executive at Beech Aircraft Corporation, which is in my House district. I would tag along with him to the "plant" as he called it. I remember walking the assembly lines and smelling the fresh paint. Later in life, I learned to fly Beechcraft airplanes and worked in the marketing area after college.

While there have been changes in ownership over the years of companies like Beech and Cessna, the legacy continues for Wichita to be the hub for generating 21st century research and design of aerospace products.

The manufacturing techniques have evolved from sheet metal and rivets to composites. An adaptable workforce has been created through the many viable training programs created through WATC and NCAT.

And finally, the new Eisenhower National Airport, represents a state of the art facility in handling over 1.6 million passengers annually.

I hope you will all take time to walk through the exhibits on the first floor this afternoon. Again, please join me in recognizing these companies and thanking them for their many contributions to the aviation/aerospace presence in Kansas.

Rep. Elliott introduced to the members of the House: Tom Aldag, National Institute for Aviation Research; Travis Bryant, Textron Aviation; Peggy Deiter, Bombardier Business Aircraft; Sam Sackett, Spirit AeroSystems; Belinda Witt and Traci Nichols, Wichita Airport Authority and Jim Hill and Gayle Goetz, Wichita Area Technical College.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2326, AN ACT concerning wages; relating to employer deductions; amending K.S.A. 2016 Supp. 44-319 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2327, AN ACT relating to local government control over employer wages and benefits by ordinance or by requirements in public construction contracts; amending K.S.A. 2016 Supp. 12-16,130 and repealing the existing section; also repealing K.S.A. 2016 Supp. 12-16,131, 12-16,132, 12-16,133 and 19-26,114, by Committee on Commerce, Labor and Economic Development.

HB 2328, AN ACT concerning workers compensation; relating to accident prevention programs; amending K.S.A. 2016 Supp. 44-5,104 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2329, AN ACT concerning employment security law; relating to the effect of separation pay on benefits; amending K.S.A. 2016 Supp. 44-704 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2330, AN ACT concerning employment; relating to employee scheduling policy restrictions on local government; amending K.S.A. 2016 Supp. 12-16,130 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2331, AN ACT enacting the Kansas cybersecurity act; relating to digital information security for Kansas executive branch agencies; establishing the Kansas information security office, executive branch chief information security officer and the cybersecurity state grant fund coordinating council; establishing the cybersecurity state fund and the cybersecurity state grant fund in the state treasury; amending K.S.A. 2016 Supp. 8-145 and repealing the existing section, by Committee on Government, Technology and Security.

HB 2332, AN ACT concerning disclosure of electronic communications; relating to civil procedure; discovery of electronic communications and electronically stored data, by Committee on Government, Technology and Security.

HB 2333, AN ACT concerning elections; relating to audits; amending K.S.A. 2016 Supp. 25-3104, 25-4403 and 25-4406 and repealing the existing sections, by Committee on Elections.

HB 2334, AN ACT concerning gubernatorial elections; dealing with petition requirements for independent candidates; amending K.S.A. 2016 Supp. 25-303 and repealing the existing section, by Committee on Elections.

HB 2335, AN ACT concerning civil actions; relating to wrongful death and personal injury actions; exemplary and punitive damages; limitation on damages; amending K.S.A. 60-1903, 60-1904 and 74-7319 and K.S.A. 2016 Supp. 60-1901 and repealing the existing sections; also repealing K.S.A. 60-19a01 and K.S.A. 2016 Supp. 60-19a02, by Committee on Judiciary.

HB 2336, AN ACT concerning civil procedure; relating to payments for the cost of medical care and treatment, by Committee on Judiciary.

HB 2337, AN ACT concerning the Kansas false claims act; amending K.S.A. 2016 Supp. 75-7501, 75-7502, 75-7503, 75-7504, 75-7505 and 75-7506 and repealing the existing sections, by Committee on Judiciary.

HB 2338, AN ACT concerning the prisoner review board; comment sessions; Kansas open meetings act; amending K.S.A. 2016 Supp. 22-3717 and 75-4318 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2339, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal use of weapons; exempting certain suppressors; amending K.S.A. 2016 Supp. 21-6301 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2340, AN ACT concerning state finances; relating to the joint estimate of revenue; transfers of actual tax receipt revenue in excess of such estimate to the budget stabilization fund; expenditures from the budget stabilization fund; amending K.S.A. 2016 Supp. 75-6706 and repealing the existing section, by Committee on Appropriations.

HB 2341, AN ACT concerning rural opportunity zones; amending K.S.A. 2016 Supp. 74-50,222 and repealing the existing section, by Committee on Taxation.

HB 2342, AN ACT concerning workers compensation; relating to services of a health care provider; amending K.S.A. 2016 Supp. 44-510h and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2323**.

Children and Seniors: **HB 2309**.

Commerce, Labor and Economic Development: **HB 2316**, **HB 2318**.

Elections: **HB 2310**.

Energy, Utilities and Telecommunications: **HB 2317**.

Federal and State Affairs: **HB 2307**, **HB 2308**, **HB 2313**, **HB 2319**.

Judiciary: **HB 2320**, **HB 2321**.

K-12 Education Budget: **HB 2324**.

Taxation: **HB 2314**, **HB 2315**, **HB 2322**, **HB 2325**.

Water and Environment: **HB 2311**, **HB 2312**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 15** from Committee on Insurance and referral to Committee on Health and Human Services.

MESSAGES FROM THE SENATE

Announcing passage of **SB 13, SB 14, SB 16, SB 18, SB 20, and SB 21.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 13, SB 14, SB 16, SB 18, SB 20, SB 21

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6009**—

By Representative Trimmer

A RESOLUTION recognizing National Speech and Debate Education Day.

WHEREAS, National Speech and Debate Education Day is celebrated on March 3, 2017; and

WHEREAS, Established by the National Speech & Debate Association, in conjunction with national and local partners, this event serves to promote better instruction in speech and debate across all grade levels and to highlight the pivotal roles these abilities play in personal advocacy, social movements and public policy making; and

WHEREAS, Speech and debate education helps students develop important skills in communication, critical thinking, creativity and collaboration through the practice of public speaking. Participants learn not only to analyze and express complex ideas effectively, but also to listen, concur, question or dissent with reason and compassion; and

WHEREAS, Across the country, countless educators devote in-school, after-school and weekend time to support their students in speech and debate practices and competitions, and the example of hard work and dedication they set has a lasting, positive impact on their pupils; and

WHEREAS, The skills learned through speech and debate serve students well throughout their lives, and this occasion presents a welcome opportunity to recognize such instruction as an essential component of a well-rounded curriculum: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize March 3, 2017, as National Speech and Debate Education Day in Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Trimmer.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Sutton, **HR 6007**, A RESOLUTION congratulating and commending Crysta Baier's fourth grade class at Edgerton Elementary and KC Healthy Kids on their efforts to support healthy kids and healthy communities through I Am Here, was adopted.

On motion of Rep. Hawkins, **HR 6008**, A RESOLUTION designating February 7, 2017 as Multiple Sclerosis Action Day at the Capitol, was adopted.

CONSENT CALENDAR

No objection was made to **HB 2109** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2109, AN ACT concerning the disposition of state real property; authorizing the state board of regents on behalf of Kansas state university to sell certain real property in Riley county; authorizing the state board of regents on behalf of Wichita state university to exchange and convey certain real property in Sedgwick county, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 19; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Aramberger, Aurand, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clayton, Concannon, Corbet, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Baker, B. Carpenter, Clark, Cox, DeGraaf, Delperdang, Dove, Garber, Houser, Humphries, Jacobs, K. Jones, Mason, Osterman, R. Powell, Weber, C., Wheeler, Whitmer.

Present but not voting: None.

Absent or not voting: Becker, Kiegerl.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: In light of our large unfunded KPERS liability, a number of years ago, it was legislative intent that State agencies identify and sell off unused/surplus property for the purpose of depositing those funds into KPERS. It is important that we honor our commitment to our retired Kansas employees. While I appreciate the work done by our Appropriations Committee, this bill identifies a number of pieces of property, that in at least one case, the proceeds of the sale should be going to KPERS and is not. I vote NO on **HB 2109**. – PETE DEGRAAF, LEO DELPERDANG, FRANCIS AWERKAMP, WILLIE DOVE, LESLIE OSTERMAN, KEVIN JONES, RANDY POWELL, LES MASON, TOM COX, RANDY GARBER, JOHN R. WHITMER, SUSAN HUMPHRIES, TREVOR JACOBS

HB 2013, AN ACT concerning elections; dealing with write in candidates; amending K.S.A. 2016 Supp. 25-213 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Becker, Kiegerl.

The bill passed, as amended.

HB 2067, AN ACT concerning the uniform insurance agents licensing act; relating to fingerprinting of applicants for licensure; amending K.S.A. 2016 Supp. 40-4905 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 38; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Baker, Ballard, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Humphries, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr,

Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Barker, Carmichael, B. Carpenter, Claeys, Corbet, DeGraaf, Delperdang, Esau, Garber, Helgerson, Highland, Hoffman, Houser, Huebert, Jacobs, Jennings, K. Jones, Landwehr, Mason, Mastroni, Osterman, Pittman, R. Powell, Ralph, Schroeder, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Becker, Kiegerl.

The bill passed, as amended.

HB 2092, AN ACT AN ACT concerning crimes, punishment and criminal procedure; relating to loss values; amending K.S.A. 2016 Supp. 21-5417, 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 46; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Awerkamp, Baker, Ballard, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Concannon, Cox, Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Ellis, Eplee, Francis, Gallagher, Gartner, Good, Hawkins, Highberger, Hineman, Hodge, Holscher, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kuether, Lakin, Landwehr, Lewis, Lusk, Markley, Mastroni, Murnan, Neighbor, Orr, Ousley, Parker, F. Patton, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Thompson, Vickrey, Victors, Weigel, Wheeler, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Arnberger, Aurand, Barker, B. Carpenter, Claeys, Clayton, Corbet, Crum, S., Dove, Elliott, Esau, Finch, Finney, Frownfelter, Garber, Helgerson, Henderson, Hibbard, Highland, Hoffman, Houser, Huebert, Jacobs, K. Jones, Koesten, Lusker, Mason, Miller, Ohaebosim, Osterman, Phelps, R. Powell, Rooker, Schroeder, Seiwert, Tarwater, Terrell, Thimesch, Trimmer, Ward, Waymaster, Weber, C., Whipple, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: Becker, Kiegerl.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2041**, **HB 2069**, **HB 2084**, **HB 2137** be passed.

On motion of Rep. Ralph, **HB 2054** be amended, on page 2, in line 33, by striking "public" and inserting "official";

On page 3, in line 26, by striking "that" and inserting "who";

On page 8, following line 18, by inserting:

"(o) "Performance of official duties" means the administration or enforcement of law or the execution of the official responsibilities of a federal, state or local official, collection of debts owed to the courts or the enforcement of child support on behalf of a state or local official. Administration of law includes research related to the law administered by the public official. "Performance of official duties" does not include solicitation of contributions or expenditures to or on behalf of a candidate for public or political office or a political party."; and the bill be passed as amended.

Committee report to **HB 2070** be adopted; also, on motion of Rep. Finch to re-refer **HB 2070** to Committee on Judiciary, the motion prevailed.

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **HB 2011** be amended on page 1, by striking all in lines 6 through 27;

On page 3, in line 34, by striking "K.S.A. 25-4149 and"; also in line 34, by striking "are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "K.S.A. 25-4149 and"; in line 3, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2031** be amended on page 1, in line 16, by striking "12" and inserting "13"; in line 28, by striking the second "and"; also in line 28, after "(I)" by inserting "one member appointed by the majority leader of the house of representatives; and (J)";

On page 2, in line 4, after "nurses" by inserting ", and at least one member shall be a patient or a caregiver"; following line 15, by inserting:

"(c) "Palliative care" means an approach that improves the quality of life of patients and their families facing the problem associated with life-threatening illness, through the prevention and relief of suffering by means of early identification and impeccable assessment and treatment of pain and other problems, physical, psychosocial and spiritual. Palliative care:

- (1) Provides relief from pain and other distressing symptoms;
- (2) affirms life and regards dying as a normal process;
- (3) intends neither to hasten or postpone death;
- (4) integrates the psychological and spiritual aspects of patient care;
- (5) offers a support system to help patients live as actively as possible until death;
- (6) offers a support system to help the family cope during the patient's illness and in their own bereavement;

(7) uses a team approach to address the needs of patients and their families, including bereavement counseling, if indicated;

(8) will enhance quality of life, and may also positively influence the course of illness; and

(9) is applicable early in the course of illness, in conjunction with other therapies that are intended to prolong life, such as chemotherapy or radiation therapy, and

includes those investigations needed to better understand and manage distressing clinical complications.";

Also on page 2, following line 38, by inserting:

"(c) "Palliative care" shall have the meaning ascribed to it in section 1, and amendments thereto."; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2118** be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 22, by Representatives Valdenia Winn and Broderick Henderson, congratulating Jered Gatson for being a member of Kansas City Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

Request No. 23, by Representatives Valdenia Winn and Broderick Henderson, congratulating Heaven Hanson for being a member of Kansas City Kansas Community College Phi Theta Kappa Kansas All-State Academic Team;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2343, AN ACT concerning health and health care; relating to organ transplants; ensuring nondiscrimination in access to organ transplants, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Whipple on Committee on Commerce, Labor and Economic Development on February 9, 2017.

REPORT ON ENGROSSED BILLS

HB 2013, **HB 2067** reported correctly engrossed February 8, 2017.

On motion of Rep. Hineman the House adjourned pro forma until 9:00 a.m. on Friday, February 10, 2017.

Journal of the House

TWENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 10, 2017, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2344, AN ACT concerning school districts; relating to school finance; requiring the adoption of local foundation budgets and the levying of property taxes for the finance thereof, by Committee on K-12 Education Budget.

HB 2345, AN ACT concerning school districts; authorizing the adoption of local activities budgets and property tax levies for the finance thereof, by Committee on K-12 Education Budget.

HB 2346, AN ACT concerning education; relating to the financing thereof; making and concerning appropriations for the fiscal year ending June 30, 2018, for the department of education; amending K.S.A. 2016 Supp. 12-1776a and 75-6704 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 72-6482, 72-8190, 75-2319, 75-2319c, 75-2319d and 75-2321, by Committee on K-12 Education Budget.

HB 2347, AN ACT concerning education; relating to the financing and instruction thereof; creating the school district finance and student success act; amending K.S.A. 46-1701, 72-8208a and 75-6510 and K.S.A. 2016 Supp. 10-1116a, 12-1770a, 12-1775a, 12-1776a, 60-2102, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-5333b, 72-5413, 72-64b01, 72-64b03, 72-64c03, 72-64c05, 72-6624, 72-6625, 72-6757, 72-6760, 72-67,115, 72-7535, 72-8187, 72-8230, 72-8233, 72-8236, 72-8251, 72-8254, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-99a02, 72-99a03, 72-99a04, 72-99a07, 74-4939a, 74-8925, 74-99b43, 75-2319, 75-6506, 75-6508, 75-6509, 79-201x, 79-213, 79-2001, 79-2925b and 79-32,117 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 72-3715 and 72-6482, by Committee on K-12 Education Budget.

HB 2348, AN ACT enacting the Kansas safe access act; providing for the safe, legal, humanitarian and therapeutic use of cannabis for medical conditions; providing for the registration and functions of compassion centers; authorizing the issuance of identification cards; establishing the compassion board; providing for administration of the act by the department of health and environment, by Committee on Health and Human Services.

HB 2349, AN ACT concerning arts industries; creating the Kansas arts commission and transferring to it certain functions from the Kansas creative arts industries commission; amending K.S.A. 2016 Supp. 8-1,161, 74-5207, 74-5209, 74-7901, 75-

2269, 75-5072 and 79-3221m and repealing the existing sections, by Committee on General Government Budget.

HB 2350, AN ACT concerning the probate code; relating to elective share amount; calculation thereof; amending K.S.A. 59-6a204 and 59-6a209 and repealing the existing sections, by Committee on Judiciary.

HB 2351, AN ACT concerning state contracts; relating to contract requirements, by Committee on Financial Institutions and Pensions.

HB 2352, AN ACT concerning civil procedure; relating to evidence; impeachment evidence; amending K.S.A. 60-421 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2353, AN ACT concerning state contracts and purchases; relating to purchases of products and services from not-for-profit entities; employment of persons with disabilities; qualified vendors; amending K.S.A. 2016 Supp. 75-3317 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2354, AN ACT concerning labor organizations; relating to fair share fees; amending K.S.A. 44-803 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2355, AN ACT concerning consumer protection; relating to vendors offering goods or services over the internet, by Committee on Commerce, Labor and Economic Development.

HB 2356, AN ACT concerning state contracts and purchases; relating to competitive bids; bid preferences to certified businesses; recertification; amending K.S.A. 2016 Supp. 75-3740 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

HB 2357, AN ACT concerning rural economic development; enacting the Kansas agribusiness technology and entrepreneurship district act, by Committee on Commerce, Labor and Economic Development.

HB 2358, AN ACT concerning elections; amending K.S.A. 2016 Supp. 8-1324, 25-1122, 25-1122d, 25-1123, 25-1124, 25-1128, 25-2203, 25-2309, 25-2352, 25-2908, 25-3002 and 65-2418 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 25-2357, 25-2358 and 25-2359, by Committee on Elections.

HB 2359, AN ACT concerning information systems and communications; creating the Kansas information technology enterprise; relating to consolidation and transfer of executive branch information technology staff, resources, functions and powers; amending K.S.A. 2016 Supp. 12-5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-3707e, 75-4701, 75-4702c, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-4705, 75-4709, 75-4710, 75-4718, 75-4719, 75-6512, 75-7201, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections, by Committee on Government, Technology and Security.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2340**.

Children and Seniors: **HB 2343**.

Commerce, Labor and Economic Development: **HB 2326, HB 2327, HB 2328, HB 2329, HB 2330**.

Corrections and Juvenile Justice: **HB 2338**.

Elections: **HB 2333, HB 2334.**
 Federal and State Affairs: **HB 2339.**
 Financial Institutions and Pensions: **SB 18, SB 20, SB 21.**
 Government, Technology and Security: **HB 2331, HB 2332.**
 Insurance: **SB 14, SB 16.**
 Judiciary: **HB 2335, HB 2336, HB 2337, SB 13.**
 Taxation: **HB 2341, HB 2342.**

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6010**—

By Representatives Holscher, Kessinger, Koesten, Markley, Parker and Rafie

A RESOLUTION congratulating and commending the Blue Valley School District on their academic excellence.

A RESOLUTION congratulating and commending the Blue Valley School District on their academic excellence.

WHEREAS, The Organization of Economic Cooperation and Development (OECD) administers an annual exam testing 15-year-old students around the world. Every three years, the test results are randomly sampled and compiled into a published report by the Programme for International Assessment (PISA); and

WHEREAS, The Blue Valley School District has participated in this internationally recognized exam since 2012; and

WHEREAS, Based on the 2015 PISA report, 10th graders in the Blue Valley School District exceeded the U.S. national average in regard to academic excellence and outperformed every educational system in the world, except Shanghai, in the areas of math and science.

WHEREAS, Blue Valley high schools have established a record of academic success by regularly outperforming state and national scores on the ACT and SAT with averages of 25.9 and 1938, respectively, and by graduating 97% of their students; and

WHEREAS, The Blue Valley School District is ranked the best school district in the state of Kansas by Niche Rankings' "2017 Best School Districts in Kansas List," and all five of the district's high schools are ranked in the top ten in the state by U.S. News and World Report: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the Blue Valley School District on their academic excellence; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send three enrolled copies of this resolution to Representative Holscher.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the permanent appointment of Rep. Wilson to replace Rep. Ward on the Robert Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.

REPORT ON ENGROSSED BILLS

HB 2054 reported correctly engrossed February 9, 2017.

REPORT ON ENGROSSED RESOLUTIONS

HR 6007, HR 6008 reported correctly engrossed February 9, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, February 13, 2017.

Journal of the House

TWENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 13, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Lusk was excused on verified illness.

Reps. Mastroni and Schwab were excused on excused absence by the Speaker.

Prayer by Rep. Powell.

The Pledge of Allegiance was led by Rep. Holscher.

A closing prayer was led by guest chaplain, The Rev. Darryl Burton, pastor, United Methodist Church of the Resurrection, Leawood, and guest of Rep. Kessinger:

O God and gentle Spirit receive these words as an expression of gratitude and hope we find in you as we search the scriptures for the message of grace and faith we have because of you. We pray that the power of the Holy Spirit will create a new song in our hearts today so that we can rejoice and sing Holy, Holy, Holy is the Lord our God. Embrace us dear Lord in your arms so that we are reminded of our collective purpose in life. We are instructed by Micah 6:8 “who has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God”. Guide the people of this body in a more excellent way with your wisdom and grace.

You are our redeemer who forgives us our trespasses everyday. It is our prayer Lord that you show us how to be more loving and caring to those who suffer with afflictions in our community. Teach us how to rebuild a more just society, where the powerful and powerless can unite as one.

“Holy Spirit you are welcome here, come and flood this place and fill this atmosphere with your presence, warmth and love O Lord”. Anoint our hearts and souls and help us live from day to day in a way that is acceptable to you.

Dear God, be our comforter in times of worry and uncertainty. Bind up all brokenness and remove all sadness from our lives so we can live on earth with the joy you give to us all. Amen.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Victors are spread upon the Journal:

Today, I am humbled to introduce an Olympic medalist from my community the North Side of Wichita, Nico Hernandez. During the 2016 Summer Olympics in Rio, Nico won an Olympic Bronze Medal for the United States in the Men's light flyweight division and the United States first Olympic Men's boxing medal since 2008. He is a good example of leadership and of what can happen when everyone invests and stands behind our youth. I would like to thank him for putting his life on the line every time he steps in that ring to represent us, but also thank his ancestors who had the courage to come here to the United States for opportunity, already knowing that one of their offspring would become something great and contribute to America. Again, Congratulations Nico! And God Bless you and your family! May you have continued success in your boxing career!

Rep. Victors introduced Nico Hernandez and his family to the members of the House.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2349, HB 2353, HB 2354, HB 2355, HB 2356, HB 2357.**

Corrections and Juvenile Justice: **HB 2352.**

Elections: **HB 2358.**

Financial Institutions and Pensions: **HB 2351.**

Government, Technology and Security: **HB 2359.**

Health and Human Services: **HB 2348.**

Judiciary: **HB 2350.**

K-12 Education Budget: **HB 2344, HB 2345, HB 2346, HB 2347.**

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2041, AN ACT concerning courts; relating to court fees and costs; judicial branch surcharge fund; amending K.S.A. 2016 Supp. 8-2107, 8-2110, 20-3021, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-729, 60-2001, 60-2203a, 61-2704, 61-4001 and 65-409 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 21-6614g and 21-6614h, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Lusk, Mastroni, Schwab.

The bill passed.

HB 2054, AN ACT concerning the department of labor; relating to employment security law; records and reports; amending K.S.A. 2016 Supp. 44-714 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 29; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Burroughs, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hoffman, Holscher, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Markley, Mason, Miller, Murnan, Orr, Osterman, Ousley, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Weber, C., Weigel, Wheeler, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Ballard, Bishop, Carlin, Carmichael, Clayton, Crum, S., Curtis, Finney, Frownfelter, Henderson, Hodge, Houser, Huebert, Jacobs, Lusker, Neighbor, Ohaebosim, Parker, Phelps, Pittman, Ruiz, Sawyer, Stogsdill, Terrell, Victors, Ward, Whipple, Winn.

Present but not voting: None.

Absent or not voting: Lusk, Mastroni, Schwab.

The bill passed, as amended.

HB 2069, AN ACT concerning the Kansas law enforcement training act; relating to qualifications of applicants for certification; definitions; amending K.S.A. 2016 Supp. 74-5605 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Tarwater.

Present but not voting: None.

Absent or not voting: Lusk, Mastroni, Schwab.

The bill passed.

HB 2084, AN ACT concerning state agencies; relating to providing data and information to the Kansas sentencing commission; amending K.S.A. 2016 Supp. 74-9101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Lusk, Mastroni, Schwab.

The bill passed.

HB 2137, AN ACT concerning cities and counties; dealing with certain volunteer activities of governing body members; amending K.S.A. 19-205 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Lusk, Mastroni, Schwab.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Patton in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Patton, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2096**, **HB 2192** be passed.

Committee report to **HB 2048** be adopted; and the bill be passed as amended.

Committee report to **HB 2030** be adopted; and the bill be passed as amended.

On motion of Rep. Barker, pursuant to Rule 1904, to re-refer **HB 2089** to Committee on Corrections and Juvenile Justice, the motion prevailed.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2212**, **HB 2213**, **HB 2164** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Elections** recommends **HB 2158** be amended on page 1, in line 17, after "postmarked" by inserting "or are otherwise indicated by the United States postal service to have been mailed"; in line 24, by striking "fourth" and inserting "third"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2173** be amended on page 18, in line 35, by striking "southeast or"; in line 41, by striking "southeast or";

On page 19, following line 5, by inserting:

"(6) (A) if the racetrack gaming facility is located in the southeast Kansas gaming zone and is not located within a city, 2% of net electronic gaming machine income shall be paid to the county in which the racetrack gaming facility is located and 1% of net electronic gaming machine income shall be paid to the other county in such zone; or

(B) if the racetrack gaming facility is located in the southeast Kansas gaming zone and is located within a city, 1% of the net electronic gaming machine income shall be paid to the city in which the racetrack gaming facility is located, 1% of net electronic gaming machine income shall be paid to the county in which the racetrack gaming facility is located and 1% of net electronic gaming machine income shall be paid to the

other county in such zone;"

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2125, HB 2128, HB 2176, HB 2197** be passed.

Committee on **Judiciary** recommends **HB 2126** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2153** be amended on page 3, in line 15, after the semicolon by inserting "scrap metal theft reduction fee fund, K.S.A. 2016 Supp. 50-6,109a, and amendments thereto;"; in line 25, after "introduction" by inserting ":

(1) ";

Also on page 3, in line 28, after "mail" by inserting ";

(2) any agency that receives fees from a tax, fee, charge or levy paid to the commissioner of insurance shall post the notification required by this subsection on such agency's website"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2070**, as amended by House Committee, be further amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 2016 Supp. 74-5607 is hereby amended to read as follows: 74-5607. (a) In addition to other powers and duties prescribed by law, the commission shall adopt, in accordance with the provisions of K.S.A. 77-415 et seq., and amendments thereto, rules and regulations necessary to carry out the provisions of and to administer the Kansas law enforcement training act. The commission may also adopt such rules of procedure or guidance documents as are necessary for conducting the business of the commission.

(b) The commission or a designated committee or member of the commission may conduct investigations and proceedings necessary to carry out the provisions of the Kansas law enforcement training act. In all investigations, hearings or other matters pending before the commission, the commission or any person acting as a presiding officer for the commission shall have the power to:

(1) Administer oaths and take testimony;

(2) issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by law for taking depositions in civil actions in the district courts. In case of the failure of any person to comply with any subpoena issued on behalf of the commission, or on the refusal of any witness to testify to any matters regarding which the witness may be lawfully questioned, the district court of any county, on application of a member of the commission, may require compliance by proceedings for contempt, as in the case of failure to comply with a subpoena issued from such court or a refusal to testify in such court. Each witness who appears before the commission by its order or subpoena, other than a state officer or employee, shall receive for such attendance the fees and mileage provided for witnesses in civil cases in courts of record which shall be

audited and paid upon presentation of proper vouchers sworn to by such witnesses and approved by the chairperson of the commission or by a person or persons designated by the chairperson;

(3) enter into contracts necessary to administer the provisions of the Kansas law enforcement training act and the certification of law enforcement officers; and

(4) assess the costs of such matters pending before the commission under this section against the governmental entity employing the police officer or law enforcement officer.

(c) Members of the commission attending meetings of the commission, or attending a committee meeting authorized by the commission, shall be paid amounts provided for in ~~subsection (c)~~ of K.S.A. 75-3223(e), and amendments thereto. The commission shall be responsible for approving all expense vouchers of members.

(d) The commission shall meet at least once each year at the training center and may hold other meetings whenever they are called by the chairperson.

(e) The commission shall adopt the rules and regulations that are necessary to ensure that law enforcement officers are adequately trained and to enforce the provisions of the Kansas law enforcement training act. Such rules and regulations shall include, but are not limited to, the establishment of a course of fire as a standard qualification for active law enforcement officers to carry firearms that may also be used for qualified retired officers to carry firearms pursuant to federal law. The director of police training shall provide qualification opportunities for qualified retired officers at the times and places the director determines to be necessary. The training center shall charge and collect a fee from retired state, local and federal officers for the qualification opportunities, but these fees shall be limited to the actual costs of presenting the standard qualifications course.

(f) On and after July 1, 2012, the commission shall require fingerprinting of each applicant for certification under the Kansas law enforcement training act, and may require fingerprinting of a person who has received a certificate under the Kansas law enforcement training act prior to July 1, 2012, if such person's conduct is investigated pursuant to this section. The commission shall appoint an employee of the commission whose official duty includes seeking and maintaining confidential information as provided by this subsection. The appointed employee shall submit fingerprints to the Kansas bureau of investigation and to the federal bureau of investigation for the purpose of verifying the identity of such applicant or certificate holder and for obtaining records of that person's criminal arrests and convictions. Upon the request of the appointed employee, the Kansas bureau of investigation and other criminal justice agencies shall provide to the appointed employee all background investigation information including criminal history record information, arrest and nonconviction data and criminal intelligence information. Such information, other than conviction data, shall be confidential and shall not be disclosed by the appointed employee, except for a purpose stated in this section. In addition to any other penalty provided by law, unauthorized disclosure of such information shall be grounds for removal from office or termination of employment.

(g) Any complaint or report, record or other information relating to a complaint that is received, obtained, created or maintained by the commission shall be a record that is not required to be disclosed under K.S.A. 45-221(a)(10), and amendments thereto. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews

and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, or any other statute.";

On page 2, by striking all in lines 11 through 37; in line 38, after "Supp." by inserting "74-5607 and"; also in line 38, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "Supp." by inserting "74-5607 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2186** be amended on page 2, in line 26, by striking "(a) or (c)"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2234** be amended on page 2, in line 3, after "arrested" by inserting ", the victim, the parent or legal guardian of the victim"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2178** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2178," as follows:

"Substitute for HOUSE BILL NO. 2178
By Committee on Taxation

"AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269."; and the substitute bill be passed.
(Sub **HB 2178** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **HB 2170** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2360, AN ACT concerning the administration of the state employee health benefits plan; creating the division of state employee health benefits plan in the department of administration, by Committee on Appropriations.

HB 2361, AN ACT concerning the state workers compensation self-insurance fund; transferring administration of the fund to the department of administration; amending K.S.A. 2016 Supp. 44-575, 44-577 and 44-578 and repealing the existing sections, by Committee on Appropriations.

HB 2362, AN ACT concerning the department of revenue; relating to the division of alcoholic beverage control; fees; establishing the alcoholic beverage control modernization fee and the alcoholic beverage control modernization fund; amending K.S.A. 2016 Supp. 41-317 and 41-2606 and repealing the existing sections, by Committee on Appropriations.

HB 2363, AN ACT concerning the disposition of state surplus real property; authorizing the department of administration on behalf of various state agencies to sell certain real property, by Committee on Appropriations.

HB 2364, AN ACT making and concerning appropriations for fiscal years ending June 30, 2018, June 30, 2019, June 30, 2020, and June 30, 2021, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-5256, 55-193, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804, 82a-953a and repealing the existing sections, by Committee on Appropriations.

HB 2365, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the judicial branch, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6011**—

By Representative Burroughs

A RESOLUTION congratulating and commending Ray Lipovac's fifth grade class at Stony Point Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program.

WHEREAS, KC Healthy Kids is a nonprofit advocacy program dedicated to improving the health of Kansas City metropolitan area children; and

WHEREAS, KC Healthy Kids is celebrating I Am Here on March 2, 2017, at the Kansas City Convention Center; and

WHEREAS, This event is KC Healthy Kids' youth photo contest, which is designed to empower students to speak out for healthy communities; and

WHEREAS, I Am Here lifts up the voices of students in grades 3-8 as they share their ideas about how to create a healthier Kansas City; and

WHEREAS, School districts throughout the Kansas City metropolitan area were invited to have classrooms submit captioned photos showing how their communities help or hinder healthy habits; and

WHEREAS, Through this contest, teachers help students think critically about how their surroundings — walking trails or broken sidewalks, safe playgrounds or blighted lots, schoolyard gardens or fast food restaurants — impact their health; and

WHEREAS, KC Healthy Kids has announced the first place award recipients for I Am Here, that include Ray Lipovac's fifth grade class at Stony Point Elementary School, located in beautiful Kansas City, Kansas; and

WHEREAS, First place award recipients received \$1,000 to promote student wellness, such as the purchase of new playground balls and pedometers, offering fruit and vegetable tastings or providing nutrition education and school wellness council projects; and

WHEREAS, The great state of Kansas affirms the importance of ensuring that all children have the knowledge and opportunities to eat healthy and be physically fit where they live, learn and play; and

WHEREAS, Actively engaged citizens and healthy communities are strengthened

when young people are introduced to civic responsibility early through programs such as I Am Here: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Ray Lipovac's fifth grade class at Stony Point Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Burroughs.

REPORT ON ENROLLED RESOLUTIONS

HR 6007, HR 6008 reported correctly enrolled and properly signed on February 13, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, February 14, 2017.

Journal of the House

TWENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 14, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Alcala was excused on verified illness.

Rep. Winn was excused on legislative business.

Rep. Mastroni was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving God in Heaven,
on this Valentine's Day,
I want to thank You for the
great gift of love you have given to all of us.
Thank You for blessing each one of us
every day with Your love
which gives us power and strength.
Without this love,
we cannot be...we cannot function...we cannot even breathe,
because we need Your love to sustain us.
Help us all to express Your love
and share it with others.
Sometimes that is hard—
some are harder to love than others.
But when we see through Your eyes,
hear through Your ears,
and feel through Your heart,
it is easy to love as You love.
For this love – this mercy – which is new every morning,
I thank You and praise You.
Amen.

The Pledge of Allegiance was recited by the members of the House.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

HB 2366, AN ACT concerning alcoholic beverages; relating to the beer and cereal malt beverage keg registration act; including hard cider in the provisions thereof; amending K.S.A. 2016 Supp. 41-311, 41-2703, 41-2708, 41-2901, 41-2902, 41-2903, 41-2904, 41-2905 and 41-2906 and repealing the existing sections, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5010**—

By Committee on Health and Human Services

A CONCURRENT RESOLUTION opposing physician-assisted suicide.

WHEREAS, Kansas has an unqualified interest in the preservation of human life, and this state's prohibition on assisting suicide, like all homicide laws, both reflects and advances its commitment to this; and

WHEREAS, Neither this state's constitution nor the United States' Constitution contains a right to assisted suicide and, thus, no individual has the right to authorize another to kill oneself in violation of federal and state criminal laws; and

WHEREAS, Suicide is not a typical reaction to an acute problem or life circumstance and many individuals who contemplate suicide, including the terminally ill, suffer from treatable mental disorders, most commonly clinical depression, that frequently goes undiagnosed and untreated by physicians; and

WHEREAS, In Oregon, 46% of patients seeking assisted suicide changed their minds when their physicians intervened and appropriately addressed suicidal ideations by treating their pain, depression and other medical problems, if any; and

WHEREAS, Palliative care continues to improve and is nearly always successful in relieving pain and allowing a person to die naturally, comfortably and in a dignified manner without a change in the law; and

WHEREAS, The experiences in Oregon and the Netherlands explicitly demonstrate that palliative care options deteriorate with the legalization of physician-assisted suicide; and

WHEREAS, Kansas rejects abuses of palliative care through "futility care" protocols and the use of "terminal sedation" without life-sustaining care; and

WHEREAS, A physician's recommendation for assisted suicide relies on the physician's judgment— to include prejudices and negative perceptions—that a patient's life is not worth living, ultimately contributing to the use of "futility care" protocols and euthanasia; and

WHEREAS, Kansas rejects the "sliding-scale approach" which claims certain "qualities of life" are not worthy of equal legal protections; and

WHEREAS, The legalization of assisted suicide sends a message that suicide is a socially acceptable response to aging, terminal illnesses, disabilities and depression and subsequently imposes a "duty to die"; and

WHEREAS, The medical profession as a whole opposes physician-assisted suicide because it is contrary to the medical profession's role as healer and undermines the physician-patient relationship; and

WHEREAS, Assisted suicide is significantly less expensive than other care options, and Oregon's experience demonstrates that cost constraints can create financial

incentives to limit care and offer assisted suicide; and

WHEREAS, As evidenced in Oregon, the private nature of end-of-life decisions makes it virtually impossible to police a physician's behavior to prevent abuses, making any number of safeguards insufficient; and

WHEREAS, A prohibition on assisted suicide, specifically physician-assisted suicide, is the only way to protect vulnerable citizens from coerced suicide and euthanasia: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature strongly opposes and condemns physician-assisted suicide because the legislature has an unqualified interest in the preservation of human life; and

Be it further resolved: That the legislature strongly opposes and condemns physician-assisted suicide because anything less than a prohibition leads to foreseeable abuses and eventually to euthanasia by devaluing human life, particularly the lives of the terminally ill, elderly, disabled and depressed whose lives are of no less value or quality than any other citizen of this state; and

Be it further resolved: That the legislature strongly opposes and condemns physician-assisted suicide even for terminally ill, mentally competent adults because assisted suicide eviscerates efforts to prevent the self-destructive act of suicide and hinders progress in effective physician interventions, including diagnosing and treating depression, managing pain and providing palliative and hospice care; and

Be it further resolved: That the legislature strongly opposes and condemns physician-assisted suicide because assisted suicide undermines the integrity and ethics of the medical profession, subverts a physician's role as healer and compromises the physician-patient relationship; and

Be it further resolved: That the Secretary of State transmit a copy of this resolution to the Governor of the State of Kansas, the Kansas Secretary of Health and Environment and the Kansas Medical Society.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2360, HB 2361, HB 2362, HB 2363, HB 2364, HB 2365.**

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2351** from Committee on Financial Institutions and Pensions and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2034, HB 2239, HB 2306** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2277** from Committee on Local Government and referral to Committee on Appropriations.

CONSENT CALENDAR

No objection was made to **HB 2126, HB 2164, HB 2212, HB 2213** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2030, AN ACT concerning public health; relating to pharmacists and certain other individuals; pertaining to the administration of vaccines; amending K.S.A. 2016 Supp. 65-1635a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Awerkamp, Jacobs.

Present but not voting: None.

Absent or not voting: Alcalá, Mastroni, Winn.

The bill passed, as amended.

HB 2048, AN ACT concerning school districts; relating to teacher training and student instruction; addressing child sexual abuse, was considered on final action.

On roll call, the vote was: Yeas 88; Nays 34; Present but not voting: 0; Absent or not voting: 3.

Yeas: Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Delperdang, Dierks, Dietrich, Elliott, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Alford, Awerkamp, Barker, Blex, B. Carpenter, Corbet, E. Davis, DeGraaf, Dove, Ellis, Esau, Garber, Good, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Kiegerl, Mason, R. Powell, Rahjes, Ryckman, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Vickrey, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Alcalá, Mastroni, Winn.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2048** implements certain teacher training standards. I support this. **HB 2048** asks for the review and consideration of standards to widen the scope of sex-ed in schools. Historical parental concerns regarding sex-ed, promotion of objectively immoral activity in sex-ed, existing sex-ed curriculum that already educates and arguably excessively and inappropriately exposes children to sexuality, and sexual activity and abstinence being presented to youth equally, make it imprudent to promote the increase of sexual related curriculum in schools. Problems addressed by **HB 2048** can, or are already addressed as schools see fit. This issue is best handled locally. I vote no on **HB 2048**. – RONALD L. HIGHLAND, KEN CORBET, FRANCIS AWERKAMP, RANDY GARBER, CHUCK WEBER, SUSAN HUMPHRIES, WILLIE DOVE, TREVOR JACOBS

HB 2096, AN ACT regulating traffic; allowing transit buses to operate on certain right shoulders; amending K.S.A. 2016 Supp. 75-5091 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: DeGraaf, Delperdang, Kiegerl, Schwab, Tarwater, Thimesch, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Alcala, Mastroni, Winn.

The bill passed.

HB 2192, AN ACT renaming Lake Scott state park; amending K.S.A. 2016 Supp. 32-837 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Kiegerl, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alcalá, Mastroni, Winn.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kiegerl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kiegerl, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2071** be passed.

HCR 5003 be adopted.

HB 2086 be passed over and retain a place on the calendar.

Committee report to **HB 2110** be adopted; and the bill be passed as amended.

Committee report to **HB 2085** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2136** be passed.

Committee on **Appropriations** recommends **HB 2052** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2052," as follows:

"Substitute for HOUSE BILL NO. 2052

By Committee on Appropriations

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, and June 30, 2020, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 74-4914d, 74-4920, 75-2319 and 75-6706 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-2319d."; and the substitute bill be passed.

(Sub **HB 2052** was thereupon introduced and read by title.)

Committee on **Appropriations** recommends **HB 2161** be amended on page 6, in line 28, by striking "June 30, 2018,"; in line 30, by striking "\$45,300,000" and inserting "\$52,850,000"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2219** be passed.

Committee on **Insurance** recommends **SB 22**, as amended by Senate Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2142, HB 2143, HB 2242, HB 2270, HB 2324, HB 2344, HB 2346, HB 2347** from Committee on K-12 Education Budget and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6012**—

By Representative Kuether

HR 6012—A RESOLUTION congratulating and commending Washburn University men's basketball head coach, Bob Chipman, on a successful career.

WHEREAS, Washburn University's Bob Chipman has spent 41 years as a basketball coach, including the last 38 as the head coach of the Ichabods; and

WHEREAS, On January 14, 2017, Bob Chipman became the 17th head coach in National Collegiate Athletic Association (NCAA) history and the third head coach in NCAA Division II history to win at least 800 games; and

WHEREAS, Bob Chipman will finish his career as the all-time wins leader in the Mid-America Intercollegiate Athletic Association (MIAA); and

WHEREAS, The Ichabods, led by Bob Chipman, were the 1987 National Association of Intercollegiate Athletics (NAIA) National Champions, the 2001 NCAA Runner-up, won 12 MIAA regular season titles and five MIAA Postseason Tournament championships, which is an MIAA coaching record; and

WHEREAS, Bob Chipman coached 15 NCAA and NAIA All-American selections, along with 14 first-team All-MIAA and 10 MIAA Most Valuable Players; and

WHEREAS, Bob Chipman's wife, Carol, father, Bob Chipman, Sr., and children, Kelsey and Bobby, have traveled this long journey by his side every step of the way: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend Washburn University men's basketball head coach Bob Chipman on a successful career; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Kuether.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Winn on Committee on Education for February 14, 2017.

Also, Rep. Frownfelter is appointed to replace Rep. Alcalá on Committee on Local Government on February 14, 2017.

Also, Rep. Ward is appointed to replace Rep. Wilson on the Robert Bethell Joint Committee on Home and Community Based Services and KanCare Oversight for the first meeting on February 24, 2017.

REPORT ON ENGROSSED BILLS

HB 2030, HB 2048 reported correctly engrossed February 13, 2017.

On motion of Rep. Phillips, the House adjourned until 11:00 a.m., Wednesday, February 15, 2017.

Journal of the House

TWENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 15, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Mastroni was excused on excused absence by the Speaker.

Excused later: Rep. DeGraaf.

Prayer by Chaplain Brubaker:

Jehovah Jireh – God our Provider,
 today we come before you with thankfulness in our hearts
 for how You provide for us in so many ways.
 Each one of us is so blessed by the many gifts You give.
 You provide us with abilities, skills, talent,
 ideas, creativity, wisdom and discernment.
 Today as these leaders exercise these gifts,
 remind them in their decision making to
 seek *You* while *You* may be found;
 to call on You while You are near.
 Help them to remember that
 their thoughts are not Your thoughts,
 neither are their ways Your ways.
 “For as the heavens are higher than the earth,
 so are Your ways higher than their ways
 and Your thoughts than their thoughts.”
 Help them to take the higher road.
 I ask this in Christ’s Name,
 Amen.
 (Isaiah 55:6, 8-9)

The Pledge of Allegiance was led by Rep. Neighbor.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Kiegerl are spread upon the Journal:

In 1959, long before most of you were born, my ship landed in NY harbor. Coming from a small German town and looking at the statue of liberty and the enormous skyline of Manhattan made an impression hard to describe. I had just turned 20 but my love affair with America had begun much earlier. At the end of the war I was 5 and the destruction was total but the occupying troops who had seen their comrades killed at Omaha Beach, the Huertgen Forrest, the battle of the Bulge – and the concentration camps being opened had every reason to despise and hate the German civilian population were unexpectedly friendly and helpful especially to us small children starving as we were – they gave us candy bars and chewing gum – which we did not know and we ate. Interestingly it was the black soldiers who seemed the most generous – who were still looking forward to returning to a segregated country with rampant segregation.

My entire treasure consisted of \$200 but I had high hopes and expectations. In Chicago I had an aunt who was a Franciscan Sister and a nurse anesthetist. Immigration in those days was very different from today – you had to get a visa, medical exam, documents from the local police and an interview where you were explicitly informed that you could not expect any assistance from the US government until you became a citizen - which would take 5 years. Therefore you needed a sponsor who was responsible if you needed support. My aunt haunted the obstetricians to locate one for me. As a Nun, she had taken vows of chastity, obedience, and poverty, therefore all she could give me was lunch in the hospital cafeteria and advice. She sat me down and told me “now you will work, go to school, and save your money and you will become a big man” looking at my girth you can tell she was at least partially right!

I had my 1st job 4 days after arriving in town -what a job! An orderly in the hospital indelicate and unpleasant to the extreme. Giving enemas, emptying bed pans and transporting dead bodies from their room to the morgue – all for \$1.45/hr. there was an unexpected benefit, however. An extremely buxom young graduate nurse worked on my floor. She was very kind, always in good spirits and attentive. Strictly speaking she was my superior and it took me a few weeks to ask her out. She accepted and as of today, we’ve been together 57 years and we have been married 54. That God put her on my side is the greatest blessing I have ever received .

The rest of the story is easily told. We had very few material goods, in fact we were poor. We raised a family and I progressed to numerous jobs each paying better cab driver at night University Of Illinois during the day, waiter, airplane reservation agent, flight service training instructor at the hostess academy, and service manager on the new magnificent 747. What a job that was, I was in charge of everything this side of the cockpit door and also of 17 young women who were selected for their beauty, charm and energy. Three times a month we flew from Los Angeles to London, where a bus picked us up and took us to the hotel. I soon concluded this was not a job for a married man with little kids and also that I would never be president of the airline. So, I quit and got a graduate degree in international economics. After that my wife and I with two

others started a business. We had very little money and getting a tax bill for estimated taxes on money not yet earned and trying to meet out payroll jeopardized our survival several times. It is hard to underestimate the economic folly of ideologues who cannot be bothered by facts. On day one of this session a callipygian attorney expressed her opinion in tax committee. She moved to not only rescind the tax relief but to make it retroactive. A Republican advocating the Bernie Sanders school of economics policy.

We worked hard had the right service at the right time and after a couple of years of struggle and business took off. Fast forward ten years, we employed 150 people, 40 in KS, made millions of dollars and paid hundreds of thousands in taxes, and we became financially successful – only in America. Don't stifle success by the wrong fiscal policies – support growth.

After retiring at 60 I was persuaded to run for a seat in the house. I spent my own money and prevailed and I never lost an election. So I came here too old to have any other ambitions, to the best job I ever had – low paying as it is. I made lifelong friends and learned to appreciate friend and foe and the civility amongst my colleagues. Yesterday my eloquent attorney friend from Wichita with whom I fought many a battle reminded me of that once again. I still believe his view are misguided and he surely must believe the same about me, but our respect for each other remains intact.

All good things must come to an end and for me serving in this house is the best thing that ever happened to me. Goodbye.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were referred to committees as indicated:

Federal and State Affairs: **HB 2366**.

Health and Human Services: **HCR 5010**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2264** from Committee on Corrections and Juvenile Justice and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2289** from Committee on Financial Institutions and Pensions and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2288**, **HB 2345** from Committee on K-12 Education Budget and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2147** from Committee on Veterans and Military and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2344**, **HB 2346**, **HB 2347**, **HB 2142**, **HB 2143**, **HB 2242**, **HB 2270**, **HB 2324** from Committee on Appropriations and rereferral to Committee on K-12 Education Budget.

Also, the withdrawal of **HB 2032**, **HB 2241** from Committee on Water and Environment and referral to Committee on Taxation.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Kuether, **HR 6012**, A RESOLUTION congratulating and commending Washburn University men's basketball head coach, Bob Chipman, on a successful career, was adopted.

The following remarks of Rep. Kuether are spread upon the Journal:

It is my great pleasure to honor Washburn University's Men's Basketball coach, Bob Chipman.

Bob has had an outstanding career at Washburn and has actually been coaching longer than President Farley has been at the helm and longer than I have served in the Kansas legislature.

I point this out because loyalty is to be commended and we are grateful he has stayed with WU and finished his outstanding career here. With Coach Chipman today to help him celebrate are Carol Chipman-Bob's wife and one of our very own House Clerks; Bob Chipman Sr.-Coach's father (93 years old); Kelsey Stringer-daughter; Loren Ferre-WU Athletic Director; Bruce Steinbrock-WU; Foundation-Athletics; Photographer, Gene Cassell, Sports Information Director; and President Jerry Farley. His son, Bobby, was unable to be here this morning. I would also like to thank John Pinegar for all of his help pulling this together.

Coach Chipman, congratulations on your wonderful career. Thank you so very much!

CONSENT CALENDAR

No objection was made to **SB 22** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2126, HB 2164, HB 2212, HB 2213** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2071, AN ACT concerning crimes and punishment; relating to domestic battery; amending K.S.A. 2016 Supp. 21-5414 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps,

Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: DeGraaf, Kiegerl, Landwehr, Mastroni.

The bill passed.

HB 2085, AN ACT concerning crimes, punishment and criminal procedure; relating to postrelease supervision; persons convicted of a sexually violent crime; amending K.S.A. 2016 Supp. 22-3717 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: DeGraaf, Kiegerl, Mastroni.

The bill passed, as amended.

HB 2110, AN ACT concerning financial institutions; relating to trust companies; establishment of nonresident entities; requirements; amending K.S.A. 2016 Supp. 9-2111 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: DeGraaf, Kiegerl, Mastroni.

The bill passed, as amended.

HCR 5003, A CONCURRENT RESOLUTION urging Congress to propose the regulation freedom amendment to the Constitution of the United States, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 29; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Good, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Ballard, Bishop, Burroughs, Campbell, Carlin, Carmichael, Finney, Frownfelter, Gallagher, Gartner, Henderson, Highberger, Hodge, Holscher, Kuether, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Sloan, Victors, Weigel, Winn.

Present but not voting: None.

Absent or not voting: DeGraaf, Kiegerl, Mastroni.

The resolution was adopted.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **HB 2178** be adopted.

Also, roll call was demanded on motion to recommend **Sub HB 2178** favorably for passage.

On roll call, the vote was: Yeas 83; Nays 39; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Blex, Brim, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Dove, Elliott, Eplee, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murman, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Aurand, Awerkamp, Barker, Burroughs, B. Carpenter, Claey's, Corbet, E. Davis, Delperdang, Ellis, Esau, Finch, Garber, Hawkins, Highland, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Landwehr, Osterman, R. Powell, Rafie, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: DeGraaf, Kiegerl, Mastroni.

The motion prevailed and the substitute bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2160** be passed.

Committee on **Children and Seniors** recommends **HB 2187** be amended on page 1, in line 31, after "Supp." by inserting "21-5812 and"; and the bill be passed as amended.

Committee on **General Government Budget** recommends **HB 2129** be passed.

Committee on **General Government Budget** recommends **HB 2130** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Local Government** recommends **HB 2210** be amended on page 1, by striking all in lines 6 through 17;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "concerning elections" and inserting "repealing K.S.A. 2016 Supp. 25-2711"; in line 2, by striking all after "signs"; in line 3, by striking all before the period; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 30** be amended on page 11, following line 8, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 79-3298 is hereby amended to read as follows: 79-3298. (a) Every employer, payer, person or organization deducting and withholding tax shall remit the taxes and file returns in accordance with the following provisions:

(1) Whenever the total amount withheld exceeds \$100,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld in accordance with the following schedule: Each calendar month shall be divided into four remittance periods that end on the 7th, 15th, 21st and the last day of such month. If at the end of any one or all of such remittance periods the total undeposited

taxes equal or exceed \$667, the taxes shall be remitted within three banking days. Saturdays, Sundays and legal holidays shall not be treated as banking days.

(2) Whenever the total amount withheld exceeds \$8,000 but does not exceed \$100,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld for wages paid during the first 15 days of any month on or before the 25th day of the month. The employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld for wages paid during the remainder of that month on or before the 10th day of the following month.

(3) Whenever the total amount withheld exceeds \$1,200 but does not exceed \$8,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld during any month on or before the 15th day of the following month.

(4) Whenever the total amount withheld exceeds \$200 but does not exceed \$1,200 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld in any calendar quarter on or before the 25th day of the first month following the end of that calendar quarter.

(5) Whenever the total amount withheld does not exceed \$200 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld during that year on or before January 25 of the following year.

(b) Each remittance required under the provisions of subsection (a) shall be accompanied by a Kansas withholding tax remittance form and shall be filed in the manner prescribed by the director, including electronic filing.

(c) Every employer, payer, person or organization deducting and withholding tax and making remittances pursuant to subsection (a) shall file a return on a form or in the format and shall file in the manner prescribed by the director, including electronic filing, for each calendar year on or before ~~the last day of February~~ January 31 of the following year.

(d) The excess of any remittance over the actual taxes withheld in any withholding period shall be credited against the liability for following withholding periods until exhausted. A refund shall be allowed in accordance with K.S.A. 79-32,105, and amendments thereto, where an overpayment cannot be adjusted by an offset against the liability for a subsequent withholding period.

(e) For purposes of determining filing requirements, determinations of amounts withheld during a calendar year by employers, payers, persons or organizations deducting and withholding tax shall be made by the director upon the basis of amounts withheld by those employers, payers, persons or organizations during the preceding calendar year or by estimates in cases of employers, payers, persons or organizations having no previous withholding histories. The director is hereby authorized to modify the filing schedule for any employer, payer, person or organization deducting and withholding tax when it is apparent that the original determination was inaccurate.

(f) Whenever the director has cause to believe that money withheld by an employer, payer, person or organization deducting and withholding tax pursuant to this act may be converted, diverted, lost, or otherwise not timely paid in accordance with this section, the director shall have the power to require returns and payment from any such employer, payer, person or organization at any time at more frequent intervals than

prescribed by this section in order to secure full payment to the state of all amounts withheld by such employer, payer, person or organization in accordance with this act.

Sec. 3. K.S.A. 2016 Supp. 79-3299 is hereby amended to read as follows: 79-3299.

(a) Every employer, payer, person or organization deducting and withholding tax, on or before January 31 of each year, shall prepare a statement for each employee or payee on a form prescribed by the director stating the amount of wages or payments other than wages subject to Kansas income tax paid during the preceding year, the total amount of tax withheld, if any, from such wages or payments other than wages by the employer, payer, person or organization pursuant to this act and such other information as may be prescribed by the director. One copy of such statement shall be filed by the employer, payer, person or organization with the division of taxation on or before ~~the last day of February~~ January 31 of each year. Except as otherwise provided, if the employer, payer, person or organization files statements which report such withholding information for 51 or more employees or payees, the statements shall be filed by electronic means. If filing such statements by electronic means would be a hardship for any such employer, payer, person or organization, the secretary may permit such statements to be filed other than by electronic means. Two copies of such statement shall be given to the employee or payee concerned, one of which will be filed by the employee or payee with the tax return required by this chapter.

(b) In the case of an employee whose employment is terminated before the end of a calendar year, the statement required by subsection (a) may be mailed at the time provided in that subsection to the last known address of the employee, or issued at the time of the last payment to the employee, at the employer's option.

(c) Any employer, payer, person or organization deducting and withholding tax who intentionally fails to furnish a statement to an employee or payee as required under the provisions of subsections (a) and (b) shall be guilty of a nonperson misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$100 for each such offense.

(d) The annual statement of wages and salaries paid and amount withheld required by this section shall be in lieu of the annual information return required under K.S.A. 79-3222, and amendments thereto.";

Also on page 11, in line 9, after "Supp." by inserting "79-3298, 79-3299 and"; also in line 9, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking the first "sales"; also in line 1, after "to" by inserting "sales taxation,"; in line 2, by striking the first semicolon and inserting a comma; also in line 2, after the second semicolon by inserting "income taxation, reporting requirements, dates,"; also in line 2, after "Supp." by inserting "79-3298, 79-3299 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Hibbard to replace Rep. Mastroni on Committee on Transportation on February 15, 2017.

REPORT ON ENGROSSED BILLS

HB 2085, HB 2110 reported correctly engrossed February 14, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, February 16, 2017.

Journal of the House

TWENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 16, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that John Resman was appointed by the Governor effective February 16, 2017, for the unexpired term of State Representative for the 121st Legislative District, to fill the vacancy created by the resignation of Mike Kiegerl, and was administered the following oath of office on February 16, 2017.

State of Kansas
County of Shawnee}SS.

I, John Resman, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 121, so help me God.

Subscribed and Sworn to, or Affirmed, before me this 16th day of February, 2017.

CRAIG McCULLAH
Deputy Assistant Secretary of State for Administration

Speaker pro tem Schwab welcomed Rep. Resman to the House of Representatives.

The roll was called with 124 members present.
Rep. Blex was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Dr. Glenn Tombaugh, pastor, Mt. Vernon United Methodist Church, Wichita, and guest of Rep. Bishop:

O Lord, open my eyes that I may see the needs of others;
open my ears that I may hear their cries; open my heart so
that they need not be without succor; let me not be afraid to
defend the weak because of the anger of the strong, nor
afraid to defend the poor because of the anger of the rich.
Show me where love and hope and faith are needed, and use
me to bring them to those places. And so open my eyes and

my ears that I may this coming day be able to do some work of peace for thee. Amen.

(Alan Paton, South African educator and author)

The Pledge of Allegiance was led by Rep. Davis.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Proehl are spread upon the Journal:

The Governor signed a Proclamation that today, February 16, 2017, is Kansas Phi Theta Kappa All-State Academic Team Day. And today I am proud to introduce to you the Phi Theta Kappa All-State Academic Team. Ten of those scholars are here on the Floor with me and the remainder are in the gallery with us today.

Phi Theta Kappa is an International Honor Society for two year colleges that symbolizes excellence in higher education and a commitment to students. Students with a GPA of 3.5 or higher are invited to join Phi Theta Kappa whose mission is two-fold: To recognize and encourage the academic achievement of two-year college students, and to provide opportunities for individual growth and development through participation in honors, leadership, service and fellowship programming.

Fifty-five students have been named to the All-Kansas Academic Team and they represent all nineteen Kansas community colleges from across Kansas and were named to this team based upon the academic achievement, leadership and community service. Because of their academic achievement, service and leadership they have been awarded scholarship and stipends to complete their education and I wanted to be sure you were aware of this impressive group of young scholars from the Kansas Community Colleges.

Rep. Proehl introduced the following Phi Theta Kappa scholars to the members of the House: Alyssa Dehncke, Butler Community College; Cristin Shepard, Coffeyville Community College; Heaven Hanson, Kansas City Kansas Community College; Janel Baker, Labette Community College; Nathan Hills, Neosho County Community College-Ottawa; Obinna Muoh, Highland Community College; Courtney Anderson, Cowley College-Mulvane; Jennifer Barnett, Neosho County Community College- Chanute; Cata Wedman, Johnson County Community College and Darrell Clifton, Independence Community College.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2019** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2264** from Committee on Appropriations and rereferral to Committee on Corrections and Juvenile Justice.

Also, the withdrawal of **HB 2289** from Committee on Appropriations and rereferral to Committee on Financial Institutions and Pensions.

Also, the withdrawal of **HB 2065** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2034**, **HB 2239**, **HB 2306** from Committee on Appropriations and rereferral to Committee on Judiciary.

Also, the withdrawal of **HB 2345, HB 2288** from Committee on Appropriations and rereferral to Committee on K-12 Education Budget.

Also, the withdrawal of **HB 2277** from Committee on Appropriations and rereferral to Committee on Local Government.

Also, the withdrawal of **HB 2147** from Committee on Appropriations and rereferral to Committee on Veterans and Military.

Also, the withdrawal of **HB 2032, HB 2241** from Committee on Taxation and rereferral to Committee on Water and Environment.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6013**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6013**—

By Representative Ryckman

HR 6013—A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the members of the 2017 regular session of the legislature shall occupy the same seats assigned pursuant to 2017 House Resolution No. 6002 with the following exception: Resman, seat No. 97.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman to withdraw **HB 2173** from the Calendar under the heading General Orders and to refer to Committee on Appropriations, the motion prevailed.

CONSENT CALENDAR

No objection was made to **HB 2130** appearing on the Consent Calendar for the first day.

No objection was made to **SB 22** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2126, HB 2164, HB 2212, HB 2213** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2126, AN ACT concerning trust instruments; relating to mediation or arbitration of disputes, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis,

Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2164, AN ACT concerning community college boards of trustees; providing an additional member to the Cowley county community college board of trustees; amending K.S.A. 71-1403 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2212, AN ACT concerning career technical education; relating to the postsecondary technical education authority; amending K.S.A. 2016 Supp. 72-4484 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

HB 2213, AN ACT concerning postsecondary education; relating to private and out-of-state postsecondary educational institution fees; amending K.S.A. 2016 Supp. 74-32,181 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex.

The bill passed.

Sub HB 2178, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, was considered on final action.

On roll call, the vote was: Yeas 76; Nays 48; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Baker, Ballard, Becker, Bishop, Brim, Campbell, Carlin, Carmichael, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee,

Finney, Francis, Frownfelter, Gallagher, Gartner, Helgerson, Henderson, Hibbard, Highberger, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Arnberger, Aurand, Awerkamp, Barker, Burroughs, B. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Garber, Good, Hawkins, Highland, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Mastroni, Osterman, R. Powell, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Blex.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **Sub HB 2178** because my constituents cannot afford this kind of a tax increase. I have a diverse district with underprivileged residents and affluent residents. Some can pay more, but a lot of them do not have the ability. In our Republican platform, we do not stand for retroactive taxes, and we do not stand for going after successful or working class people by raising their income taxes. Today, I am disappointed in our Republican caucus for voting on things we do not stand for as Republicans. – BLAKE CARPENTER

MR. SPEAKER: I vote no on **Sub HB 2178**. Families all across the state know that we cannot spend more money than we have. That is good common sense and should be followed by the state as we spend those hard earned tax dollars of said Kansas families. – MIKE HOUSER

MR. SPEAKER: I vote NO on **Sub HB 2178**. While we are in need of a level-headed fiscal solution, we are also in need of sensible tax reform. Tax increases on the middle class are not the answer. This is unfair for teachers, nurses, farmers, police officers and others who are trying to make ends meet. I agree that we must be cautious with our approach but we can't jump the gun on this. My constituents did not send me here to raise middle class taxes, and for this reason and more that I cannot support this bill. – RONALD B. ELLIS

MR. SPEAKER: I vote no on **Sub HB 2178**. Though I recognize that Kansas faces an uncertain financial future I believe it is irresponsible to balance our budget and pay for excessive spending by raising taxes on job creators, the middle class and the working poor. Our state government has a spending problem NOT a revenue problem and until we recognize that undeniable fact and stop the cycle of denial we are in, we will continue to exemplify Einstein's definition of Insanity. – JOHN WHITMER, WILLIE DOVE, GREG LAKIN, RANDY POWELL

MR. SPEAKER: I vote no on **Sub HB 2178**. I will not support **Sub HB 2178**. It takes money and security from hard working families and small businesses across this state including the 4th District. This bill is especially unjust to financially struggling families and small businesses. The state promised incentives for growth. Now that the citizens have invested in our communities they are being subjected to retroactive penalties and higher taxes by the state. Can the state ask for prosperity when it cuts the vital roots of growth? “The problem is not that people are taxed too little, the problem is that government spends too much.” Ronald Reagan. – TREVOR JACOBS

MR. SPEAKER: I vote No on **Sub HB 2178**. To teachers, firefighters, nurses and others who guide our children, protect our homes and care for our grandparents—we failed you. To the working poor - college and technical students and anyone else hustling each day to make ends meet and build a better life for yourself and others—we failed you. To entrepreneurs who innovate and risk everything to create opportunities for yourselves and others—we failed you. To any Kansan impacted by this vote-taking your hard-earned money and giving it to government makes your life harder. It's not fair. We can do better. And we will. – LESLIE OSTERMAN, CHUCK WEBER, BRENDA LANDWEHR, SUSAN HUMPHRIES, RONALD L. HIGHLAND

MR. SPEAKER: Since the day the tax cut was first proposed and adopted in 2012 I have been convinced that plan went too far, too fast. It created an inequitable tax system and destabilized state revenues. As elected officials we have an obligation to spend the people's tax money wisely and reduce taxes when possible. But we are also obligated to responsibly fund government and to provide those services that the people of Kansas need and expect. **Sub HB 2178** corrects the excesses of the 2012 tax cut and puts our fiscal house in order. I vote yes on **Sub HB 2178**. – DON HINEMAN, RICH PROEHL, DON SCHROEDER, JAN KESSINGER, LINDA GALLAGHER

MR. SPEAKER: I vote NO on **Sub HB 2178** because this tax increase attempts to balance the budget on the backs of the middle class and small business owners. According to a recent SurveyUSA Market Research Study, Kansans' #1 preference for balancing the budget is not an income tax increase. To quote a constituent, “Raising taxes is bad enough, but making it retroactive is about as unethical as it gets!” Especially in light of the Alvarez & Marsal Statewide Efficiency Review that identified over 2 billion dollars in possible efficiencies. Kansans expect us to do better. – PETE DEGRAAF

MR. SPEAKER: **Sub HB 2178** is a step backward on protecting our poorest citizens. It adds people who make less than \$15,000 to the tax rolls and greatly increases the tax on the working middle class. It is a step backward for business creation. Small businesses lose their tax break while large corporations keep theirs. It is a step backward for fairness. It is unjust to pass a tax retroactively. For these and many other reasons, I vote No on **Sub HB 2178**. – KEITH ESAU, FRANCIS AWERKAMP

MR. SPEAKER: **Sub HB 2178** represents the largest tax increase in the history of Kansas, targeting Kansas' businesses, the middle-class, and the working poor. In addition, it puts back in place a three tiered system and places an excessive burden on taxpayers statewide by retroactively taxing Kansans for 2017. This bill doesn't just fix a loophole, it creates ongoing, destructive tax policy for the future. I came to Topeka to

create sensible, fair solutions for all citizens and **Sub HB 2178** fails to do that. I vote no on **Sub HB 2178**. – KYLE HOFFMAN, JOHN BARKER, JACK THIMESCH, JOE SEIWERT, DANIEL R. HAWKINS, STEVE HUEBERT

MR. SPEAKER: I vote no on **Sub HB 2178**. Kansas legislators have repeatedly raised taxes when their spending has created budget troubles. While the people of Kansas were balancing their personal budgets, their government continuously created budget holes by spending more money than they collected. The legislature has demanded time after time the people of Kansas pay for their mismanagement. In 2017, the legislature is at it again. – KEN CORBET

MR. SPEAKER: **Sub HB 2178** increases taxes on individuals to the tune of 1.4 billion dollars in the next 5 years. To say nothing of the 967-million-dollar bill on small business owners (if they stay in Kansas). Those pass-through entities accounted for 82% of the 36,000 private sector jobs created in years 2013 and 2014. I hope at some point this body will address the lost revenue due to sales tax exemptions which cost the state over 6 billion dollars a year. When will we truly address the issue of fairness in our tax code? Mr. Speaker I vote NO on **Sub HB 2178**. – RANDY GARBER

MR. SPEAKER: This is not prudent. I Vote No on **Sub HB 2178**. – KEVIN JONES

MR. SPEAKER: I vote Yes on **Sub HB 2178**. It begins the long road to fiscal responsibility in Kansas. It repeals the loophole which allows 330,000 business owners to pay no state income tax. It returns Kansas to a fair tax structure where the wealthy pay their fair share for the common good. Some taxes will increase but the rates are lower than 2012. A family of four making \$46,500 or less would pay NO increase in income tax over 2016. A family of four making \$50,000 would pay \$370.25 LESS in income taxes than they did in 2012. – TOM SAWYER, STEVE CRUM, JERRY STOGSDILL, PATSY TERRELL

MR. SPEAKER: During my recent campaign, I spoke to thousands of constituents who felt the 2012 tax plan created an inequitable tax system and destabilized state revenues. As newly elected officials, we have an obligation to spend the people's tax money wisely and reduce taxes when possible. We are also obligated to listen to our constituents and responsibly fund government to provide those services the people of Kansas need and expect. For my constituents, **Sub HB 2178** corrects the excesses of the 2012 tax cut and puts our fiscal house in order. Mr. Speaker, I vote yes on **Sub HB 2178**. – SEAN TARWATER

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Barker in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Barker, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2161** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2052** be adopted.

Also, on motion of Rep. Jennings, **Sub HB 2052** be amended on page 23, in line 11, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 11 accordingly;

On page 25, following line 16, by inserting:

"(u) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Evidence based juvenile program (521-00-1000-0050) \$6,000,000"

Also, on motion of Rep. DeGraaf, **Sub HB 2052** be amended on page 34, following line 9, by inserting:

"Sec. 78. (a) During the fiscal year ending June 30, 2017, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 of the 2016 Session Laws of Kansas, chapter 111 of the 2016 Session laws of Kansas or in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of a new or used passenger car or truck as a replacement for a passenger car or truck owned by the state agency, unless:

(1) The motor vehicle being replaced has an unadjusted odometer reading of 130,000 miles or more for a passenger car or 150,000 miles or more for a truck; or

(2) the passenger car or truck being replaced requires repairs that are estimated to cost more than the amount equal to 33% of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) Any state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall report on all passenger cars or trucks requested to be replaced to the director of legislative research or such director's designee, including:

(1) Vehicle model;

(2) vehicle year;

(3) vehicle mileage;

(4) cost of replacement; and

(5) an estimate of safety-related repairs necessary for a vehicle to be replaced.

(c) As used in this section:

(1) "State agency" means each state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.

Sec. 79. (a) During the fiscal year ending June 30, 2018, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2018, from the state general fund or in any special revenue fund or funds for such state agency in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of a new or used passenger car or truck as a

replacement for a passenger car or truck owned by the state agency, unless:

(1) The motor vehicle being replaced has an unadjusted odometer reading of 130,000 miles or more for a passenger car or 150,000 miles or more for a truck; or

(2) the passenger car or truck being replaced requires repairs that are estimated to cost more than the amount equal to 33% of the replacement value of a new or used passenger car or truck of the same class, as the case may be, including parts and labor, in order to be safe to drive.

(b) Any state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall report on all passenger cars or trucks requested to be replaced to the director of legislative research or such director's designee, including:

- (1) Vehicle model;
 - (2) vehicle year;
 - (3) vehicle mileage;
 - (4) cost of replacement; and
 - (5) an estimate of safety-related repairs necessary for a vehicle to be replaced.
- (c) As used in this section:

(1) "State agency" means each state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature, except that state agency shall not include the Kansas highway patrol;

(2) "passenger car" has the meaning ascribed thereto in K.S.A. 8-1445, and amendments thereto; and

(3) "truck" has the meaning ascribed thereto in K.S.A. 8-1481, and amendments thereto.";

And by renumbering sections accordingly

Also, on further motion of Rep. DeGraaf to amend **Sub HB 2052**, the motion was withdrawn.

Also, on further motion of Rep. DeGraaf, **Sub HB 2052** be amended, on page 34, following line 9, by inserting:

"Sec. 78. (a) During the fiscal year ending June 30, 2017, no state agency named in chapter 104 of the 2015 Session Laws of Kansas, this act or other appropriation act of the 2017 regular session of the legislature shall expend any moneys appropriated for the fiscal year ending June 30, 2017, from the state general fund or in any special revenue fund or funds for such state agency by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 of the 2016 Session Laws of Kansas, chapter 111 of the 2016 Session Laws of Kansas, or in this or other appropriation act of the 2017 regular session of the legislature, for acquisition of new or replacement office furniture, equipment or supplies in excess of \$100 unless such expenditure is specifically approved by the director of the budget. At the same time the director of the budget approves such expenditure, the director of the budget shall transmit a copy of such approval to the director of legislative research.

(b) During the fiscal year ending June 30, 2017, the director of the budget shall provide a list to the house appropriations committee and the senate ways and means committee of all items approved, the cost of such items and the reason why such approval could not be delayed until the following fiscal year.";

And by renumbering sections accordingly; and **Sub HB 2052** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2271** be passed.

Committee on **Elections** recommends **HB 2333** be amended on page 1, in line 17, by striking all after "review"; in line 18, by striking all before the period and inserting "all races except: (1) Races involving judges; (2) uncontested races; and (3) races where the margin was more than 30%. Only one local race shall be selected for audit in even-numbered year elections"; also in line 18, by striking "office" and inserting "offices"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2140** be passed.

Committee on **Health and Human Services** recommends **HB 2106** be amended on page 1, in line 18, by striking all after "services"; in line 19, by striking all before "and"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2217** be amended on page 1, in line 19, by striking ", ambulance service";

On page 2, in line 3, by striking "except"; in line 4, by striking all before the period; in line 40, after "antagonist" by inserting "to its employees or volunteers";

On page 3, in line 17, by striking "first responder"; also in line 17, after "nurse" by inserting ", or a first responder, scientist or technician operating under a first responder agency,"; and the bill be passed as amended.

Committee on **Insurance** recommends **HB 2233** be amended on page 2, in line 2, after the semicolon, by inserting "and"; in line 3, by striking all after "(C)"; by striking all in line 4; in line 5, by striking "(D)"; and the bill be passed as amended.

Committee on **Transportation and Public Safety Budget** recommends **HB 2036** be amended on page 1, in line 31, after "national" by inserting "or regional";

On page 2, in line 6, after "(ABET)" by inserting "or the higher learning commission"; in line 11, by striking "directly"; by striking all in line 12; in line 13, by striking all before the period and inserting "with a qualified employer"; in line 16, after the period by inserting ""Tuition" includes both amounts paid during participation in a qualified program or tuition debt upon completion of a qualified program."; by striking all in lines 17 through 22; in line 29, by striking "of commencing" and inserting "prior to or following the commencement of"; in line 38, after "Kansas" by inserting ", as determined by the secretary of revenue";

On page 3, following line 32, by inserting:

"Sec. 5. The secretary of revenue may adopt rules and regulations necessary or convenient for the implementation and administration of sections 1 through 4, and amendments thereto.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2095** be amended on page 1, in line 6, after "transportation" by inserting ", with respect to highways under the secretary's jurisdiction, including those highways designated as city connecting links."; in line 7, by striking "special vehicle operating" and inserting "overweight divisible load"; also in line 7, by striking all after "permit"; in line 8, by striking all before "for"; in line 12, by

striking all after "(b)"; in line 13, by striking all before "shall" and inserting "Such vehicles"; in line 14, by striking "also"; in line 15, by striking "special"; also in line 15, by striking "combination" and inserting ", when loaded in excess of 80,000 pounds,"; in line 17, by striking "special"; also in line 17, by striking "combination"; in line 20, after "(3)" by inserting "the vehicle shall not be operated on any bridge or highway that has a posted gross weight limit or posted axle weight limit less than that which the vehicle is operating;

(4) the permit must be carried in the vehicle when the vehicle is operating at a weight over 85,500 pounds;

(5)";

Also in line 20, by striking "special"; also in line 20, by striking "combination"; in line 22, by striking "and"; in line 23, by striking "(4)" and inserting: "(6) any vehicle operating under an overweight divisible load permit cannot violate the width provisions of K.S.A. 8-1902, and amendments thereto, or the height and length provisions of K.S.A. 8-1904, and amendments thereto; and

(7) the vehicle, when operating in excess of 85,500 pounds, must not operate when highway surfaces have ice or snowpack or drifting snow.

(c)";

Also on page 1, in line 25, by striking "special"; also in line 25, by striking "combination";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2174** be amended on page 1, by striking all in lines 6 through 16; following line 16, by inserting:

"Section 1. K.S.A. 2016 Supp. 8-1,146 is hereby amended to read as follows: 8-1,146. (a) Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less, motorcycles or travel trailers, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person has proof of: (1) Having served and is designated as a veteran, and has had an honorable discharge from the United States army, navy, air force, marine corps, coast guard or merchant marines; or (2) currently serving in the United States army, navy, air force, marine corps, coast guard or merchant marines, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck, motorcycle or travel trailer designating such person as an United States military veteran. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

On and after January 1, 2005, any person issued a license plate under this section may request a decal for each license plate indicating the appropriate military branch in which the person served or is currently serving.

(b) Any person who is a veteran or current member of the United States army, navy, air force, marine corps, coast guard or merchant marines may make application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the

director shall require that the applicant is a veteran or current member of the United States army, navy, air force, marine corps, coast guard or merchant marines. Application for the registration of a passenger vehicle, truck, motorcycle or travel trailer and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(c) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

(d) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in ~~subsection (b) of K.S.A. 8-132(b)~~, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(e)(1) A person eligible to receive a license plate under this section who does not meet the definition of "disabled veteran" under K.S.A. 8-160, and amendments thereto, upon submitting satisfactory proof to the director of vehicles pursuant to K.S.A. 8-1,125(a), and amendments thereto, that such person's disability, condition or impairment is permanent in nature, may request a wheelchair emblem decal for such license plate.

(2) When a motor vehicle displaying a decal issued pursuant to this subsection is being operated by or used for the transportation of a person with a disability, such motor vehicle shall receive all parking privileges under K.S.A. 8-1,126, and amendments thereto.

(f) A fee of \$2 shall be paid for each decal issued under subsection (a) ~~or (e)~~. The director of vehicles shall design such decals. Such decals shall be affixed to the license plate in the location required by the director.

Sec. 2. K.S.A. 8-1,126 is hereby amended to read as follows: 8-1,126. When a motor vehicle which bears a special license plate or placard issued pursuant to K.S.A. 8-1,125, and amendments thereto, or wheelchair emblem decal under K.S.A. 8-1,146(e), and amendments thereto, is being operated by or used for the transportation of a person with a disability, such motor vehicle:

(a) May be parked in any parking space, whether on public or private property, which is clearly marked as being reserved for the use of persons with a disability or persons responsible for the transportation of a person with a disability, except a parking space on private property which is clearly marked as being reserved for the use of a specified person with a disability;

(b) may be parked for a period of time not to exceed 24 hours in any parking zone which is restricted as to the length of parking time permitted, except where stopping, standing or parking is prohibited to all vehicles, where parking is reserved for special types of vehicles or where parking would clearly present a traffic hazard; and

(c) shall be exempt from any parking meter fees of the state or any city, county or other political subdivision.";

Also on page 1, in line 17, before "K.S.A" by inserting "K.S.A. 8-1,126 and"; also in line 17, by striking "8-160 is" and inserting "8-1,146 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "disabled veteran"; in line 2, by striking "eligibility" and inserting "decals for certain military veterans with disabilities"; also in

line 2, after "amending" by inserting "K.S.A. 8-1,126 and"; also in line 2, by striking "8-160" and inserting "8-1,146"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Veterans and Military** recommends **HB 2257** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2257," as follows:

"Substitute for HOUSE BILL NO. 2257
By Committee on Veterans and Military

"AN ACT concerning motor vehicles; relating to decals for certain military medals or badges; armed services occupation medal; amending K.S.A. 2016 Supp. 8-1,156 and repealing the existing section.";

And the substitute bill be passed.

(Sub **HB 2257** was thereupon introduced and read by title.)

Committee on **Water and Environment** recommends **HB 2312** be passed.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2282** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2299** from Committee on Health and Human Services and referral to Committee on Appropriations.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, February 17, 2017.

Journal of the House

TWENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, February 17, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Rep. Pittman was excused on legislative business.

Rep. Powell was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
We thank You for this beautiful
sunny and exceptional warm day.
We are especially grateful that it is Friday.
Thank You for Your faithfulness throughout this past week.
Thank You for the good work that has begun.
Help each one to trust You to carry it on to completion.
Much has been accomplished.
There have been tough decisions made—
some expected, some surprising.
Encourage the leaders to continue
to speak courageously,
work harmoniously,
and act in mercy and compassion.
Be with our leaders as they work throughout this day.
Many will travel home for the weekend.
Watch over them, protect them,
give them good quality time with family,
and renew their energy for the tasks that continue to lie ahead.
This I pray in Christ's name,
Amen.

The Pledge of Allegiance was led by Rep. Stogsdill.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2326**, **HB 2353**, **HB 2356** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

COMMUNICATIONS FROM STATE OFFICERS

From Barbara J. Hickert, State Long-Term Care Ombudsman, Kansas Department of Administration, per K.S.A. 75-7306; the Kansas Long-Term Care Ombudsman Annual Report for State Fiscal Year 2016.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

Announcing passage of **Sub HB 2178**.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Burroughs, **HR 6011**, A RESOLUTION congratulating and commending Ray Lipovac's fifth grade class at Stony Point Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program, was adopted.

CONSENT CALENDAR

No objection was made to **HB 2130** appearing on the Consent Calendar for the second day.

No objection was made to **SB 22** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 22, AN ACT concerning insurance; relating to third party administrators; regulation; amending K.S.A. 40-3801, 40-3802, 40-3804, 40-3806, 40-3807, 40-3808, 40-3809 and 40-3810 and K.S.A. 2016 Supp. 40-3805 and repealing the existing sections; also repealing K.S.A. 40-3803, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman, R. Powell.
The bill passed.

Sub HB 2052, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, and June 30, 2020, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 74-4914d, 74-4920, 75-2319 and 75-6706 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-2319d, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 36; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Campbell, Carlin, Carmichael, Claeys, Clark, Concannon, Cox, Crum, S., Curtis, E. Davis, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Henderson, Hibbard, Highberger, Hineman, Hoffman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Murman, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Wheeler, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Awerkamp, Barker, Burroughs, B. Carpenter, Clayton, Corbet, Deere, DeGraaf, Delperdang, Dove, Esau, Garber, Hawkins, Helgerson, Highland, Hodge, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Miller, Osterman, Resman, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Weber, C., Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman, R. Powell.
The substitute bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: Rescission bills represent an opportunity to take a serious look at current government spending. They should certainly not involve an actual *increase* in spending, and that is exactly what **Sub HB 2052** does to the tune of \$138 million. We need a real rescission bill that reins in spending and limits the growth of government, not only for 2017 but for future fiscal years, as well. We support efforts to pass a rescission bill but feel we can do better than **Sub HB 2052**. Therefore, Mr. Speaker, I vote No on **Sub HB 2052**. PETE DEGRAAF, TREVOR JACOBS, BLAKE CARPENTER, JOHN WHITMER, CHUCK WEBER, LESLIE OSTERMAN, RON HIGHLAND, LEO DELPERDANG, RANDY GARBER, KEN CORBET, STEVE HUEBERT, KEITH ESAU, JOE SEIWERT

MR. SPEAKER: I vote Yes on **Sub HB 2052**. In my years of public service I have gotten used to having to choose between a bad option and a really bad option. As a result of tax and budget decisions made over the last 4 years, today we have had to choose between really bad options and really, really bad options. Only in extreme circumstances would I vote to borrow to pay operating expenses or to skip payments to our public employees

retirement fund, and I have only done so today because I am confident that we will take the remaining steps we need to take to restore structural balance to our state budget.

DENNIS “BOOG” HIGHBERGER

MR. SPEAKER: AS a newly elected official, I have an obligation to spend the people’s tax money wisely and reduce taxes when possible. Because of others past fiscal irresponsibility, we were forced to pass a bill yesterday that raised taxes to fund those services the people of Kansas need and expect. I feel this bill could have gone further and we could have found more efficiencies and save constituent’s hard earned tax dollars. Kansans deserve to keep more of their own money and we need to do more to get our house in order. Mr. Speaker, I vote NO on **Sub HB 2052**. SEAN TARWATER

HB 2161, AN ACT concerning state finances; relating to the investments and reinvestments of state moneys; transfers to and from the state general fund; amending K.S.A. 2016 Supp. 75-2263, 75-4209 and 75-4234 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 25; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Campbell, Carlin, Carmichael, Claeys, Clark, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Blex, Burroughs, B. Carpenter, Clayton, Corbet, Dove, Esau, Helgerson, Highland, Houser, Jacobs, K. Jones, Landwehr, Mason, Miller, Osterman, Resman, Schwab, Seiwert, Smith, E., Sutton, Thimesch, Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman, R. Powell.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: Resolving our budget imbalance and ensuring fiscal responsibility over the long haul requires a real commitment to reducing the growth of government. **HB 2161**, on the other hand, involves the use of one-time money, risks downgrading our credit further, and there is no assurance we will pay the money back. We need to be willing to make the tough decisions regarding our spending, not continue the bad habits of the past. For these reasons, Mr. Speaker, I vote no on **HB 2161**. – BLAKE CARPENTER, TREVOR JACOBS, JOHN R. WHITMER, LESLIE OSTERMAN, RONALD L. HIGHLAND, KEN CORBET, JOE SEIWERT

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Vickrey in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Vickrey, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2191** be passed.

Committee report to **HB 2121** be adopted; also, on motion of Rep. Awerkamp to amend **HB 2121**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2031** be adopted; also, on motion of Rep. Landwehr, **HB 2031** be amended on page 2, following line 41, by inserting:

"(d) The department of health and environment shall implement this section within the limitations of existing moneys and resources already allocated to the department.";

On page 3, following line 23, by inserting:

"(d) The department of health and environment shall implement this section within the limitations of existing moneys and resources already allocated to the department." and the bill be passed as amended.

Committee report to **HB 2111** be adopted; and the bill be passed as amended.

Committee report to **HB 2234** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2099** be amended on page 2, in line 2, by striking "curtails" and inserting "prevents"; in line 13, by striking "investigate" and inserting "initiate an investigation of"; also in line 13, after the comma by inserting "provide notice of the investigation to the parties"; also in line 13, after "and" by inserting a comma; in line 14, after "investigation" by inserting a comma; in line 32, by striking "curtails" and inserting "prevents"; in line 35, by striking "curtailing" and inserting "preventing"; and the bill be passed as amended.

Committee on **Agriculture** recommends **HB 2100** be amended on page 2, in line 6, after "and" by inserting "one or more of the"; also in line 6, by striking all after "provisions"; by striking all in lines 7 through 10; in line 11, by striking "engineer" and inserting "provided in subsection (b)";

On page 3, in line 31, after "(f)" by inserting "In addition to a management plan under subsection (e),";

On page 4, in line 20, after the period by inserting "Notification shall include a reference to an electronic publication of the management plan and any relevant technical analysis.";

On page 5, in line 3, after "(m)" by inserting "Notwithstanding K.S.A. 82a-1039, and amendments thereto, nothing in this section shall be construed as limiting or affecting any duty or power of a groundwater management district granted to such district by the Kansas groundwater management district act.

(n) ";

Also in line 3, by striking "may" and inserting "shall";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2223** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2223," as follows:

"Substitute for HOUSE BILL NO. 2223
By Committee on Elections

"AN ACT concerning campaign finance reports for members of the legislature and reports by lobbyists; dealing with civil penalties for late filing of such reports; amending K.S.A. 2016 Supp. 25-4148, 25-4152, 46-268 and 46-280 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2223** was thereupon introduced and read by title.)

Committee on **Financial Institutions and Pensions** recommends **HB 2268** be amended on page 2, in line 34, by striking "2021" and inserting "2020";

On page 3, in line 36, by striking "2021" and inserting "2020";

On page 4, in line 1, after "thereto" by inserting ", to the extent that any such amount paid is included in federal adjusted gross income and subject to federal income taxation"; in line 26, by striking all after "in"; in line 27, by striking all before "the"; in line 28, by striking "2021" and inserting "2020"; in line 29, after "employer" by inserting "or an independent contractor";

On page 5, in line 3, by striking all after "(ii)"; by striking all in lines 4 through 9; in line 10, by striking "(iii)"; in line 18, by striking "or"; in line 20, after "thereto" by inserting ", or members of the state board of regents retirement plan pursuant to K.S.A. 74-4925 et seq., and amendments thereto"; in line 25, by striking "and"; in line 30, after "subsection" by inserting "; and

(vii) employed by a school district in a position that requires a license under K.S.A. 72-1388, and amendments thereto, or other provision of law requiring a similar license and subject to the provisions of K.S.A. 74-4940, and amendments thereto, and who retired on or after July 1, 2017, at age 62 or later. The school district shall pay to the system a 30% employer contribution based on the retirant's compensation during any such period of employment. On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate, if needed, to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%";

On page 6, in line 4, by striking "one" and inserting "three"; in line 5, by striking the first "year" and inserting "years"; also in line 5, by striking "one" and inserting "three"; also in line 5, by striking the second "year" and inserting "years"; in line 7, by striking

all after the last "the"; in line 8, by striking all before "employer"; in line 28, after "(e)" by inserting "Retirants who are independent contractors or employees of third-party entities who contract with a participating employer shall not be subject to the compensation limitation in this subsection or the requirements of subsection (7)(c) regarding enrollment and employer contributions, so long as all of the following apply:

(i) The contractual relationship was not created to allow the retirant to continue employment with the participating employer after retirement in a position similar to the one such retirant held prior to retirement;

(ii) the activities performed by the independent contractor or third-party entity are not normally performed exclusively by employees of that participating employer; and

(iii) the retirant meets the classification of independent contractor as provided in K.S.A. 2016 Supp. 44-768, and amendments thereto, or activities performed by the third-party entity that employs the retirant are performed on a limited-term basis and the third-party entity is not a participating employer in the system.

(f) ";

Also on page 6, in line 29, by striking "one-"; by striking all in lines 30 and 31; in line 32, by striking all before the period and inserting "one year";

On page 7, in line 14, by striking all after "(7)(d)"; in line 15, by striking all before "may"; in line 17, by striking "one or more of"; following line 22, by inserting:

"(j) Any retirant who was hired by a participating employer under the provisions of K.S.A. 74-4937(3), (4) or (5), as such subsections existed immediately prior to July 1, 2017, shall be deemed to be hired under the provisions of subsection (7)(d) and shall continue to be exempt from the compensation limitation in this subsection, subject to the requirements of subsection (7)(d). Any service by a retirant under K.S.A. 74-4937(3), (4) or (5), as such subsections existed immediately prior to July 1, 2017, shall be subject to the provisions of subsection (7)(i) that relate to a limitation on the total term of employment with any participating employer in which a retirant may receive such retirant's full retirement benefit.";

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

On page 8, by striking all in lines 35 through 43;

By striking all on pages 9 through 12;

On page 13, by striking all in lines 1 through 40;

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

On page 14, following line 2, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 74-49,123 is hereby amended to read as follows: 74-49,123. (a) This section applies to the Kansas public employees retirement system and to all other public retirement plans administered by the board of trustees.

(b) As used in this section:

(1) "Federal internal revenue code" means the federal internal revenue code of 1954 or 1986, as amended and as applicable to a governmental plan as in effect on July 1, 2008; and

(2) "retirement plan" includes the Kansas public employees retirement system and all other Kansas public retirement plans and benefit structures, which are administered by the board.

(c) In addition to the federal internal revenue code provisions otherwise noted in

each retirement plan's law, and in order to satisfy the applicable requirements under the federal internal revenue code, the retirement plans shall be subject to the following provisions, notwithstanding any other provision of the retirement plan's law:

(1) The board shall distribute the corpus and income of the retirement plan to the members and their beneficiaries in accordance with the retirement plan's law. At no time prior to the satisfaction of all liabilities with respect to members and their beneficiaries shall any part of the corpus and income be used for, or diverted to, purposes other than the exclusive benefit of the members and their beneficiaries.

(2) Forfeitures arising from severance of employment, death or for any other reason may not be applied to increase the benefits any member would otherwise receive under the retirement plan's law. However, forfeitures may be used to reduce an employer's contribution.

(3) All benefits paid from the retirement plan shall be distributed in accordance with a good faith interpretation of the requirements of section 401(a)(9) of the federal internal revenue code and the regulations under that section. Notwithstanding any other provision of these rules and regulations, effective on and after January 1, 2003, the retirement plan is subject to the following provisions:

(A) Benefits must begin by the required beginning date, which is the later of April 1 of the calendar year following the calendar year in which the member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which the member terminates employment. If a member fails to apply for retirement benefits by April 1 of the calendar year following the calendar year in which such member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which such member terminates employment, whichever is later, the board will begin distributing the benefit as required by this section.

(B) The member's entire interest must be distributed over the member's life or the lives of the member and a designated beneficiary, or over a period not extending beyond the life expectancy of the member or of the member and a designated beneficiary. Death benefits must be distributed in accordance with section 401(a)(9) of the federal internal revenue code, including the incidental death benefit requirement in section 401(a)(9)(G) of the federal internal revenue code, and the regulations implementing that section.

(C) The life expectancy of a member, the member's spouse or the member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

(D) If a member dies after the required distribution of benefits has begun, the remaining portion of the member's interest must be distributed at least as rapidly as under the method of distribution before the member's death and no longer than the remaining period over which distributions commenced.

(E) If a member dies before required distribution of the member's benefits has begun, the member's entire interest must be either:

(i) In accordance with federal regulations, distributed over the life or life expectancy of the designated beneficiary, with the distributions beginning no later than December 31 of the calendar year immediately following the calendar year of the member's death; or

(ii) distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

(F) The amount of an annuity paid to a member's beneficiary may not exceed the

maximum determined under the incidental death benefit requirement of the federal internal revenue code.

(G) The death and disability benefits provided by a retirement plan are limited by the incidental benefit rule set forth in section 401(a)(9)(G) of the federal internal revenue code and treasury regulation 1.401-1(b)(1)(i).

(4) Distributions from the retirement plans may be made only upon retirement, separation from service, disability or death.

(5) The board or its designee may not:

(A) Determine eligibility for benefits;

(B) compute rates of contribution; or

(C) compute benefits of members or beneficiaries, in a manner that discriminates in favor of members who are considered officers, supervisors or highly compensated, as prohibited under section 401(a)(4) of the federal internal revenue code.

(6) Subject to the provisions of this subsection, benefits paid from, and employee contributions made to, the retirement plans shall not exceed the maximum benefits and the maximum annual additions, respectively, permissible under section 415 of the federal internal revenue code.

(A) Before January 1, 1995, a member may not receive an annual benefit that exceeds the limits specified in section 415(b) of the federal internal revenue code, subject to the applicable adjustments in that section. Beginning January 1, 1995, a participant may not receive an annual benefit that exceeds the dollar amount specified in section 415(b)(1)(A) of the federal internal revenue code, subject to the applicable adjustments in section 415 of the federal internal revenue code.

(B) Notwithstanding any other provision of law to the contrary, the board may modify a request by a participant to make a contribution to the retirement plans if the amount of the contribution would exceed the limits under section 415(c) or 415(n) of the federal internal revenue code subject to the following:

(i) Where the retirement plan's law requires a lump-sum payment, for the purchase of service credit, the board may establish a periodic payment plan in order to avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code.

(ii) If the board's option under ~~subdivision clause~~ (i) will not avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code, the board shall reduce or deny the contribution.

(C) Effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, if an active member makes one or more contributions to purchase permissive service credit under a retirement plan, then the requirements of this section shall be treated as met only if:

(i) The requirements of section 415(b) of the federal internal revenue code are met, determined by treating the accrued benefit derived from all such contributions as an annual benefit for purposes of such section; or

(ii) the requirements of section 415(c) of the federal internal revenue code are met, determined by treating all such contributions as annual additions for purposes of such section. For purposes of applying ~~subparagraph clause~~ (i) a retirement plan shall not fail to meet the reduced limit under section 415(b)(2)(C) of the federal internal revenue code solely by reason of this ~~paragraph subparagraph~~ (C), and for purposes of applying ~~subparagraph clause~~ (ii), a retirement plan shall not fail to meet the percentage

limitation under section 415(c)(1)(B) of the federal internal revenue code solely by reason of this paragraph.

(iii) For purposes of this ~~paragraph clause~~, the term "permissive service credit" means service credit:

(a) Specifically recognized by a retirement plan's law for purposes of calculating a member's benefit under that retirement plan;

(b) which such member has not received under a retirement plan; and

(c) which such member may receive under a retirement plan's law only by making a voluntary additional contribution, in an amount determined under the retirement plan's law and procedures established by the board, which does not exceed the amount necessary to fund the benefit attributable to such service credit.

(iv) A retirement plan shall fail to meet the requirements of this ~~paragraph clause~~ if the retirement plan's law specifically provides for a purchase of nonqualified service purchase, and if:

(a) More than five years of nonqualified service credit are taken into account for purposes of this ~~paragraph subclause~~; or

(b) any nonqualified service credit is taken into account under this ~~paragraph subclause~~ before the member has at least five years of participation under a retirement plan. For purposes of this ~~paragraph subclause~~, effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, the term "nonqualified service credit" means the same as provided in section 415(n)(3)(C) of the federal internal revenue code.

(v) In the case of a trustee-to-trustee transfer after December 31, 2001, to which section 403(b)(13)(A) or 457(e)(17)(A) of the federal internal revenue code applies, without regard to whether the transfer is made between plans maintained by the same employer:

(a) The limitations of ~~subparagraph clause~~ (iv) shall not apply in determining whether the transfer is for the purchase of permissive service credit; and

(b) the distribution rules applicable under federal law to a retirement plan shall apply to such amounts and any benefits attributable to such amounts.

(vi) For an eligible member, the limitation of section 415(c)(1) of the federal internal revenue code shall not be applied to reduce the amount of permissive service credit which may be purchased to an amount less than the amount which was allowed to be purchased under the terms of the statute as in effect on August 5, 1997. For purposes of this ~~subparagraph clause~~, an eligible member is an individual who first became a member in the retirement plan before January 1, 1998.

(D) Subject to approval by the internal revenue service, the board shall maintain a qualified governmental excess benefit arrangement under section 415(m) of the federal internal revenue code. The board shall establish the necessary and appropriate procedures for the administration of such benefit arrangement under the federal internal revenue code. The amount of any annual benefit that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be paid from this benefit arrangement. The amount of any contribution that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be credited to this benefit arrangement. The qualified excess benefit arrangement shall be a separate portion of the retirement plan. The qualified excess benefit arrangement is subject to the following requirements:

(i) The benefit arrangement shall be maintained solely for the purpose of providing to participants in the retirement plans that part of the participant's annual benefit otherwise payable under the terms of the act that exceeds the limitations on benefits imposed by section 415 of the federal internal revenue code; and

(ii) participants do not have an election, directly or indirectly, to defer compensation to the excess benefit arrangement.

(E) For purposes of applying these limits only and for no other purpose, the definition of compensation where applicable shall be compensation actually paid or made available during a limitation year, except as noted below and as permitted by treasury regulation section 1.415(c)-2. Specifically, compensation shall be defined as wages within the meaning of section 3401(a) of the federal internal revenue code and all other payments of compensation to an employee by an employer for which the employer is required to furnish the employee a written statement under sections 6041(d), 6051(a)(3) and 6052 of the federal internal revenue code. Compensation shall be determined without regard to any rules under section 3401(a) of the federal internal revenue code that limit the remuneration included in wages based on the nature or location of the employment or the services performed, such as the exception for agricultural labor in section 3401(a)(2) of the federal internal revenue code.

(i) However, for limitation years beginning after December 31, 1997, compensation shall also include amounts that would otherwise be included in compensation but for an election under sections 125(a), 402(e)(3), 402(h)(1)(B), 402(k) or 457(b) of the federal internal revenue code. For limitation years beginning after December 30, 2000, compensation shall also include any elective amounts that are not includable in the gross income of the employee by reason of section 132(f)(4) of the federal internal revenue code.

(ii) The definition of compensation shall exclude employee contributions picked up under section 414(h)(2) of the federal internal revenue code.

(iii) For limitation years beginning on and after January 1, 2007, compensation for the limitation year will also include compensation paid by the later of two and a half months after an employee's severance from employment or the end of the limitation year that includes the date of the employee's severance from employment if:

(a) The payment is regular compensation for services during the employee's regular working hours or compensation for services outside the employee's regular working hours, such as overtime or shift differential, commissions, bonuses or other similar payments, and absent a severance from employment, the payments would have been paid to the employee while the employee continues in employment with the employer;

(b) the payment is for unused accrued bona fide sick, vacation or other leave that the employee would have been able to use if employment had continued; or

(c) for limitation years beginning on and after January 1, 2012, the payment is made pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid to the member at the same time if the member had continued employment with the employer and only to the extent that the payment is includable in the member's gross income.

(iv) Any payments not described in ~~paragraph clause~~ (iii) are not considered compensation if paid after severance from employment, even if they are paid within two and a half months following severance from employment, except for payments to the individual who does not currently perform services for the employer by reason of

qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the employer rather than entering qualified military service.

(v) An employee who is in qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, shall be treated as receiving compensation from the employer during such period of qualified military service equal to: (a) The compensation the employee would have received during such period if the employee were not in qualified military service, determined based on the rate of pay the employee would have received from the employer but for the absence during the period of qualified military service; or (b) if the compensation the employee would have received during such period was not reasonably certain, the employee's average compensation from the employer during the twelve-month period immediately preceding the qualified military service, or if shorter, the period of employment immediately preceding the qualified military service.

(vi) Back pay, within the meaning of treasury regulation section 1.415(c)-2(g)(8), shall be treated as compensation for the limitation year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included under this definition.

(7) On and after January 1, 2009, for purposes of applying the limits under section 415(b) of the federal internal revenue code, the following shall apply:

(A) A member's applicable limit shall be applied to the member's annual benefit in the first limitation year without regard to any automatic cost-of-living increases;

(B) to the extent the member's annual benefit equals or exceeds such limit, the member shall no longer be eligible for cost-of-living increases until such time as the benefit plus the accumulated increases are less than such limit;

(C) thereafter, in any subsequent limitation year, the member's annual benefit including any automatic cost-of-living increase applicable shall be tested under the then applicable benefit limit including any adjustment to the dollar limit under section 415(b)(1)(A) or 415(d) of the federal internal revenue code and the regulations thereunder; and

(D) in no event shall a member's annual benefit payable from a retirement plan in any limitation year be greater than the limit applicable at the annuity starting date, as increased in subsequent years pursuant to section 415(d) of the federal internal revenue code and the regulations thereunder. If the form of benefit without regard to the automatic benefit increase feature is not a straight life annuity, then the preceding sentence is applied by reducing the limit under section 415(b) of the federal internal revenue code applicable at the annuity starting date to an actuarially equivalent amount determined using the assumptions specified in treasury regulation section 1.415(b)-1(c)(2)(ii) that take into account the death benefits under the form of benefit. This subsection applies to distributions made on and after January 1, 1993. A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a transfer made from the retirement system.

(i) An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: (a) Any distribution that is one of a series of substantially equal periodic

payments, not less frequently than annually, made for the life or the life expectancy of the distributee or the joint lives or joint life expectancies of the distributee and the distributee's designated beneficiary or for a specified period of 10 years or more; (b) any distribution to the extent such distribution is required under section 401(a)(9) of the federal internal revenue code; (c) the portion of any distribution that is not includable in gross income; and (d) any other distribution that is reasonably expected to total less than \$200 during the year. Effective January 1, 2002, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includable in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the federal internal revenue code, or to a qualified defined contribution plan described in section 401(a) of the federal internal revenue code or to a qualified plan described in section 403(a) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings on such amounts, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable, or on or after January 1, 2007, to a qualified defined benefit plan described in section 401(a) of the federal internal revenue code or to an annuity contract described in section 403(b) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings thereon, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable.

(ii) An eligible retirement plan is any of the following that accepts the distributee's eligible rollover distribution:

(a) An individual retirement account described in section 408(a) of the federal internal revenue code;

(b) an individual retirement annuity described in section 408(b) of the federal internal revenue code;

(c) an annuity plan described in section 403(a) of the federal internal revenue code;

(d) a qualified trust described in section 401(a) of the federal internal revenue code;

(e) effective January 1, 2002, an annuity contract described in section 403(b) of the federal internal revenue code;

(f) effective January 1, 2002, a plan eligible under section 457(b) of the federal internal revenue code that is maintained by a state, political subdivision of a state or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into the plan from a retirement plan; or

(g) effective January 1, 2008, a roth IRA described in section 408(A) of the federal internal revenue code.

(iii) Effective January 1, 2002, the definition of eligible rollover distribution also includes a distribution to a surviving spouse, or to a spouse or former spouse who is an alternate payee under a domestic relations order, as defined in section 414(p) of the federal internal revenue code.

(iv) A distributee includes an employee or former employee. It also includes the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the federal internal revenue code. Effective July 1, 2007, a distributee further includes a nonspouse beneficiary who

is a designated beneficiary as defined by section 401(a)(9)(E) of the federal internal revenue code. However, a nonspouse beneficiary may rollover the distribution only to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution and the account or annuity will be treated as an "inherited" individual retirement account or annuity.

(v) A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.

(8) Notwithstanding any law to the contrary, the board may accept a direct or indirect eligible rollover distributions for the purpose of the purchase of service credit. In addition, the board may accept a direct trustee to trustee transfer from a deferred compensation plan under section 457(b) of the federal internal revenue code or a tax sheltered annuity under section 403(b) of the federal internal revenue code for: (A) The purchase of permissive service credit, as defined under section 415(n)(3)(A) of the federal internal revenue code; or (B) a repayment to which section 415 of the federal internal revenue code does not apply pursuant to section 415(k)(3) of the federal internal revenue code. Any such transfer shall be allowed as provided in this subsection to the extent permitted by law, subject to any conditions, proofs or acceptance established or required by the board or the board's designee.

(9) Where required by the act, an employer shall pick up and pay contributions that would otherwise be payable by members of a retirement plan in accordance with section 414(h)(2) of the federal internal revenue code as follows:

(A) The contributions, although designated as employee contributions, are being paid by the employer in lieu of contributions by the employee;

(B) the employee must not have been given the option of receiving the amounts directly instead of having them paid to the retirement plan; and

(C) the pickup shall apply to amounts that a member elects to contribute to receive credit for prior or participating service if the election is irrevocable and applies to amounts contributed before retirement.

(10) (A) Notwithstanding any provision of this plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the federal internal revenue code and the uniformed services employment and reemployment rights act of 1994.

(B) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent required by section 401(a)(37) of the federal internal revenue code, survivors of a member in the system, are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. A deceased member's period of qualified military service must be counted for vesting purposes.

(C) Effective with respect to deaths or disabilities, or both, occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent permitted by section 414(u)(9) of the federal internal revenue code, for the benefit accrual purposes and in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death or disability, or both, and then having terminated on the date of

death or disability. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(D) Beginning January 1, 2009, to the extent required by section 414(u)(12) of the federal internal revenue code, an individual receiving differential wage payments, as defined under section 3401(h)(2) of the federal internal revenue code, from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the federal internal revenue code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(11) Upon the complete or partial termination of a retirement plan, the rights of members to benefits accrued to the date of termination, to the extent funded, or to the amounts in their accounts are nonforfeitable, and amounts in their accounts may be distributed to them.

(d) The plan year for the retirement plan begins on July 1.

(e) The limitation year for purposes of section 415 of the federal internal revenue code is the calendar year.

(f) The board may not engage in a transaction prohibited by section 503(b) of the federal internal revenue code.

(g) (1) For purposes of determining an "actuarial equivalent" or of an "actuarial computation" for members hired prior to July 1, 2009, the board shall use the following:

(A) The applicable mortality table is specified in revenue ruling 2001-62 or revenue ruling 2007-67, as applicable; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(2) For purposes of determining an "actuarial equivalent" or an "actuarial computation" for members hired on or after July 1, 2009, the board shall use the following:

(A) The applicable mortality table is the ^{50/50} male/female blend of the RP 2000 health annuitant mortality table, projected to 2025; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(3) For converting amounts payable under the partial lump sum option, the board shall use the following:

(A) The applicable mortality table is a ^{50/50} male/female blend of the 1983 group annuity mortality table; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(4) For benefit testing under section 415(b) of the federal internal revenue code, the factors required by treasury regulations shall be used. The applicable mortality table is specified in revenue ruling 2001-62 for years prior to January 1, 2009, and notice 2008-85 for years after December 31, 2008.;

Also on page 14, in line 3, by striking "and" and inserting a comma; also in line 3, after "74-4937" by inserting "and 74-49,123";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "extending"; in line 3, by striking all before the semicolon and inserting "determining actuarial equivalent or actuarial computation, interest factor"; also in line 3, by striking "and" and inserting a comma; in

line 4, after "74-4937" by inserting "and 74-49,123"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2260** be passed.

Committee on **Judiciary** recommends **HB 2301** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2302** be amended on page 3, in line 24, by striking "place the animal for adoption or euthanize" and inserting "transfer ownership of"; in line 35, by striking "to the petitioner"; in line 36, by striking "placed for adoption or killed" and inserting "transferred"; in line 38, by striking all before "of" and inserting "transfer"; in line 39, by striking all before "was" and inserting "transfer";

On page 5, in line 13, by striking all after the second "to"; in line 14, by striking all before the first "the" and inserting "transfer ownership of"; in line 22, by striking "to"; in line 23, by striking all before the period; in line 29, by striking all after "dog"; in line 30, by striking all before "under" and inserting "transferred"; in line 31, by striking "placement or killing" and inserting "transfer"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2320** be amended on page 1, in line 33, after the period by inserting "Upon entry of appearance by an attorney on behalf of the defendant, or indication by the defendant to the court that such defendant will represent the defendant's self,"; in line 34, by striking all after the first "defendant"; in line 35, by striking all before "or"; in line 36, by striking all after "counsel";

On page 2, in line 1, by striking "attorney"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2278** be passed.

Committee on **Transportation** recommends **HB 2076** be passed.

Committee on **Transportation** recommends **HB 2148** be amended on page 2, following line 40, by inserting:

"Sec. 2. (a) On and after January 1, 2018, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one Kansas 4-H foundation license plate for each such passenger vehicle or truck. Such license plates shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment established by the Kansas 4-H foundation, inc. or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The Kansas 4-H foundation, inc. may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any royalty payment received pursuant to this section shall be used to support the Kansas 4-H foundation, inc. Any motor vehicle owner or lessee annually may apply to the Kansas 4-H foundation, inc. for use of such logo. Upon annual application and payment to either: (1) The Kansas 4-H foundation, inc. in an amount of not less than \$25 nor more than \$100 as a logo use royalty payment for each such license plate to be issued, the Kansas 4-H foundation, inc. shall issue to the motor vehicle owner or lessee, without further

charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or (2) the county treasurer of the logo use royalty payment for each license plate to be issued.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use royalty payment established by the Kansas 4-H foundation, inc. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

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

(e) The director of vehicles may transfer Kansas 4-H foundation license plates from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment established by the Kansas 4-H foundation, inc. If such statement is not presented at the time of registration or faxed by the Kansas 4-H foundation, inc., or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The Kansas 4-H foundation, inc. shall provide to all county treasurers an electronic mail address where applicants can contact the Kansas 4-H foundation, inc. for information concerning the application process or the status of such applicant's license plate application.

(h) As a condition of receiving the Kansas 4-H foundation license plate and any subsequent registration renewal of such license plate, the applicant must provide consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the Kansas 4-H foundation, inc. and the state treasurer.

(i) Annual royalty payments collected by county treasurers under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas 4-H foundation royalty fund, which is hereby created in the state treasury and shall be administered by the state treasurer. All expenditures from the Kansas 4-H foundation royalty fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or the state treasurer's designee. Payments from the Kansas 4-H foundation royalty fund to the appropriate designee of the Kansas 4-H foundation, inc. shall be made on a monthly basis.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "plate" by inserting "; the Kansas 4-H foundation license plate"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2040** be amended on page 4, in line 14, after "shall" by inserting "prepare and"; in line 16, by striking "and sent" and inserting ". Such citation may be served on such person in any manner authorized by law, including, but not limited to, mailing it"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2203** be amended on page 1, in line 9, by striking "SGT"; in line 13, by striking "SGT";

Also on page 1, in the title, in line 1, by striking "SGT"; and the bill be passed as amended.

Committee on **Water and Environment** recommends **HB 2272** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2272," as follows:

"Substitute for HOUSE BILL NO. 2272
By Committee on Water and Environment

"AN ACT concerning water; creating the Kansas water authority science and research subcommittee.";

And the substitute bill be passed.

(Sub **HB 2272** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 24, by Representative Pam Curtis, congratulating Kristina Kidwells' Third Grade Class for being winner of the 2016 KC Healthy Kids "I Am Here Youth Photo Contest";

Request No. 25, by Representative Brenda Dietrich, commending Noah Meier for achieving the rank of Eagle Scout;

Request No. 26, by Representative Brenda Dietrich, commending Ethan Hughes for achieving the rank of Eagle Scout;

Request No. 27, by Representative Ron Highland, congratulating Rossville High School Bulldawgs Football Team for winning the 2016 Kansas 3A State Championship;

Request No. 28, by Representative Brett Parker, congratulating Annaleigh T Hobbs for outstanding achievement as a 2017 Gold Award Winner with the Girl Scout of NE Kansas and NW Missouri;

Request No. 29, by Representative Debbie Deere, congratulating Leah Wiegers for earning the Girl Scout Gold Award;

Request No. 30, by Representative Debbie Deere, congratulating Phoebe Taylor for earning the Girl Scout Gold Award;

Request No. 31, by Representative Tom Sloan, congratulating Danielle McEathron for receiving the Girl Scout Gold Award;

be approved and the Chief Clerk of the House be directed to order the printing of said

certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2367, AN ACT concerning property taxation; relating to valuation, duties of county appraiser, appeals; amending K.S.A. 2016 Supp. 79-1412a and 79-1460 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-1496, by Committee on Taxation.

HB 2368, AN ACT concerning income taxation; relating to deductions, business entities that create new jobs, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2182**, **HB 2185**, **HB 2355** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2019** from Committee on Appropriations and rereferral to Committee on Children and Seniors.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Hodge on Committee on General Government Budget on February 17, 2017.

REPORT ON ENGROSSED BILLS

Sub HB 2052, **HB 2161** reported correctly engrossed February 16, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, February 20, 2017.

Journal of the House

THIRTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, February 20, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 124 members present.
Rep. Murnan was excused on verified illness.

Prayer by guest chaplain, the Rev. Dr. Peter A. Luckey, pastor, Plymouth Congregational Church, Lawrence, and guest of Rep. Wilson:

O Holy God, as we assemble this morning to attend to the well-being of all Kansans, we are mindful of the important work before us. We know the actions we take or fail to take affect the lives of thousands, names we will never know.

Help us, O compassionate one, to see a face behind the faceless, to see a human being behind a statistic.

May you lead us to think of every Kansan, regardless of the color of their skin, their gender orientation, faith and economic background as kin to us, as if each citizen of our State were a member of our own family.

Remind us that the work of governing is always about people and their lives, and the land on which we live and share.

Make us mindful of the trust that the citizens have placed in us, so we may conduct ourselves in a way that is fitting and honors the high trust placed in us to do Your people's work.

This is an awesome and sacred task You have placed before us.

As much as we will try to read and learn as much as we can about every issue and bill that faces this body, we realize we can never fully be prepared. We cannot anticipate all the ramifications, the unintended consequences of our actions. We know we all have our blind spots; our prejudices and preconceived notions invariably influence our views, our outlook.

Therefore, we recognize this morning, at the beginning of our session, the need for Divine guidance. As King Solomon was said to be a wise King principally because he had the humility to admit he did not have all the answers, that he needed to turn to you, O God for wisdom and guidance.

May we all be humble enough as legislators this morning, to be

able to admit what we don't know, what we have not yet understood, and that we all stand in the need of prayer.

Show us your Light, O God, that we may light the way for others.

Reveal to us now, your Path, that we can lead others on the journey.

Grant us a humble heart, so that we can truly listen as well as speak, that we try to understand more than worry about whether we are understood.

On this President's Day when we think of all the Presidents who have served this great land, we give thanks for the role we have been given to play, the leadership conferred upon us, the people of the great state of Kansas entrusted into our care.

It is a privilege and honor to serve here today. May Your Loving Spirit infuse all that we say and do here today. In God's name, we pray.

The Pledge of Allegiance was led by Rep. Cox.

INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Thompson are spread upon the Journal:

Good morning body. It is my honor and pleasure today to introduce a group of very fine young Kansans. FFA is one of the leading youth groups in our state and greatly assists in developing young people. Today it is again my honor to introduce you to some of the finest young people that our state has to offer. This body is the state FFA officers.

Rep. Thompson introduced the following FFA State Officers to the members of the House: Elizabeth Meyer-President, Marion; Clara Wicoff-Vice President, Iola; Grace Luebecke-Secretary, Marysville; Katelyn Bohnenblust-Treasurer, Clay Center; Jacob Grinstead-Reporter, Buhler and Trenton Smedly-Sentinel, Cherryvale.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Taxation: **HB 2367**, **HB 2368**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2182**, **HB 2185**, **HB 2326**, **HB 2353** and **HB 2356** from Committee on Appropriations and re-referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2299** from Committee on Appropriations and re-referral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2331**, **HB 2332** and **HB 2359** from Committee on Government Technology and Security and referral to Committee on Appropriations.

CONSENT CALENDAR

No objection was made to **HB 2301** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2130** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2130, AN ACT concerning the department of administration; relating to certain state contracts; amending K.S.A. 75-3743 and 75-3744 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed.

HB 2031, AN ACT concerning health care; relating to palliative care; establishing the palliative care and quality of life interdisciplinary advisory council; palliative care consumer and professional information and education program, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 17; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill,

Sutton, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Barker, Clark, Corbet, DeGraaf, Dove, Esau, Good, Houser, Jacobs, K. Jones, Mason, R. Powell, Schroeder, Tarwater, Thimesch, Vickrey.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed, as amended.

HB 2111, AN ACT concerning retirements and pensions; relating to the Kansas police and firemen's retirement system; providing certain death benefits to surviving spouses; amending K.S.A. 74-4959 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed, as amended.

HB 2121, AN ACT concerning the administration of vaccines; making certain reports relating thereto, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 24; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Crum, S., Curtis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Corbet, Cox, E. Davis, DeGraaf, Esau, Garber, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Landwehr, Mason, R. Powell, Smith, A., Sutton, Thimesch, Vickrey, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I believe **HB 2121** would be an unappreciated change in the eyes of liberty-concerned constituents in Kansas because: **HB 2121** is vague, and doesn't make clear that it is collecting the names and medical decisions of individual Kansans; **HB 2121** makes no provision for a parent or patient to opt out of having private medical information reported. I believe required reporting and compilation of medical information is not the job of government and encroaches on patient privacy.

Therefore, I vote no on **HB 2121**. – SUSAN HUMPHRIES, CHUCK WEBER, FRANCIS AWERKAMP, KEITH ESAU

HB 2191, AN ACT concerning the Kansas department of wildlife, parks and tourism; relating to licenses, permits, stamps and other issues of the department; citations; amending K.S.A. 2016 Supp. 32-1001, 32-1041 and 32-1049 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed.

HB 2234, AN ACT concerning public health; relating to infectious disease testing; amending K.S.A. 65-6009 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Murnan.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Osterman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Osterman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2102**, **HB 2125**, **HB 2170** be passed.

Committee report to **HB 2079** be adopted; and the bill be passed as amended.

Committee report to **HB 2158** be adopted; also on motion of Rep. Parker, **HB 2158** be amended as amended by House Committee, on page 1, in line 8, after "officer" by inserting "or the polling place"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2207** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2207," as follows:

"Substitute for HOUSE BILL NO. 2207
By Committee on Agriculture

"AN ACT concerning wildlife; relating to the pursuit of wounded animals; amending K.S.A. 2016 Supp. 21-5810 and 32-1013 and repealing the existing sections.";
And the substitute bill be passed.

(**HB 2207** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **HB 2047** be amended on page 1, in line 7, by striking "withing" and inserting "within"; and the bill as amended be referred to the Committee on Appropriations.

Committee on **Health and Human Services** recommends **HB 2205** be amended on page 1, in line 5, after "required" by inserting ", but no earlier than age 11 with a booster at age 16 or later"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2240** be amended on page 1, in line 11, after the comma by inserting "physician assistant,"; on page 2, following line 11, by inserting:

"(l) "Physician assistant" means a person licensed to practice medicine and surgery as a physician assistant by the state board of healing arts.";

Also on page 2, in line 21, after the period by inserting "No judicial action taken as part of the procedure provided in section 8(c), and amendments thereto, shall constitute a finding by the court."; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2010** be amended on page 2, in line 15, before "This" by inserting "The provisions of this section shall not apply to a person operating two-way radio communications equipment while reporting information to the national weather service or any other emergency service provider.

(f)";

Also, on page 2, following line 16, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 8-2118 is hereby amended to read as follows: 8-2118.

(a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

(b) Prior to the time specified in the notice to appear, a person charged with a traffic infraction may enter a written appearance, waive right to trial, plead guilty or no contest and pay the fine for the violation as specified in the uniform fine schedule in subsection (c) and court costs provided by law. Payment may be made in any manner accepted by the court. The traffic citation shall not have been complied with if the payment is not honored for any reason, or if the fine and court costs are not paid in full. When a person charged with a traffic infraction makes payment without executing a written waiver of right to trial and plea of guilty or no contest, the payment shall be deemed such an appearance, waiver of right to trial and plea of no contest.

(c) The following uniform fine schedule shall apply uniformly throughout the state but shall not limit the fine which may be imposed following a court appearance, except an appearance made for the purpose of pleading and payment as permitted by subsection (a). The description of offense contained in the following uniform fine schedule is for reference only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
Refusal to submit to a preliminary breath test	8-1012	\$105
Unsafe speed for prevailing conditions	8-1557	\$75
Exceeding maximum speed	8-1558	1-10 mph over the

limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone	to 8-1560 8-1560a or 8-1560b	limit, \$45 11-20 mph over the limit, \$45 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$105 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit;
Disobeying traffic control device	8-1507	\$75
Violating traffic control signal	8-1508	\$75
Violating pedestrian control signal	8-1509	\$45
Violating flashing traffic signals	8-1510	\$75
Violating lane-control signal	8-1511	\$75
Unauthorized sign, signal, marking or device	8-1512	\$45
Driving on left side of roadway	8-1514	\$75
Failure to keep right to pass oncoming vehicle	8-1515	\$75
Improper passing; increasing speed when passed	8-1516	\$75
Improper passing on right	8-1517	\$75
Passing on left with insufficient clearance	8-1518	\$75
Driving on left side where curve, grade, intersection railroad crossing, or obstructed view	8-1519	\$75
Driving on left in no-passing zone	8-1520	\$75
Unlawful passing of stopped emergency vehicle	8-1520a	\$75
Driving wrong direction on one-way road	8-1521	\$75
Improper driving on laned roadway	8-1522	\$75
Following too close	8-1523	\$75
Improper crossover on di-	8-1524	\$45

vided highway		
Failure to yield right-of-way at uncontrolled intersection	8-1526	\$75
Failure to yield to approaching vehicle when turning left	8-1527	\$75
Failure to yield at stop or yield sign	8-1528	\$75
Failure to yield from private road or driveway	8-1529	\$75
Failure to yield to emergency vehicle	8-1530	\$195
Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$105
Failure to comply with restrictions in road construction zone	8-1531a	\$45
Disobeying pedestrian traffic control device	8-1532	\$45
Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$75
Improper pedestrian crossing	8-1534	\$45
Failure to exercise due care in regard to pedestrian	8-1535	\$45
Improper pedestrian movement in crosswalk	8-1536	\$45
Improper use of roadway by pedestrian	8-1537	\$45
Soliciting ride or business on roadway	8-1538	\$45
Driving through safety zone	8-1539	\$45
Failure to yield to pedestrian on sidewalk	8-1540	\$45
Failure of pedestrian to yield to emergency vehicle	8-1541	\$45
Failure to yield to blind pedestrian	8-1542	\$45
Pedestrian disobeying bridge or railroad signal	8-1544	\$45
Improper turn or approach	8-1545	\$75
Improper "U" turn	8-1546	\$75
Unsafe starting of stopped	8-1547	\$45

vehicle		
Unsafe turning or stopping, failure to give proper sig- nal; using turn signal un- lawfully	8-1548	\$75
Improper method of giving notice of intention to turn	8-1549	\$45
Improper hand signal	8-1550	\$45
Failure to stop or obey road crossing signal	8-1551	\$195
Failure to stop at railroad crossing stop sign	8-1552	\$135
Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$195
Improper moving of heavy equipment at railroad crossing	8-1554	\$75
Vehicle emerging from alley, private roadway, building or driveway	8-1555	\$75
Improper passing of school bus; improper use of school bus signals	8-1556	\$315
Improper passing of church or day-care bus; improper use of signals	8-1556a	\$195
Impeding normal traffic by slow speed	8-1561	\$45
Speeding on motor-driven cycle	8-1562	\$75
Speeding in certain vehicles or on posted bridge	8-1563	\$45
Improper stopping, standing or parking on roadway	8-1569	\$45
Parking, standing or stopping in prohibited area	8-1571	\$45
Improper parking	8-1572	\$45
Unattended vehicle	8-1573	\$45
Improper backing	8-1574	\$45
Driving on sidewalk	8-1575	\$45
Driving with view or driving mechanism obstructed	8-1576	\$45
Unsafe opening of vehicle door	8-1577	\$45
Riding in house trailer	8-1578	\$45
Unlawful riding on vehicle	8-1578a	\$75

Improper driving in defiles, canyons, or on grades	8-1579	\$45
Coasting	8-1580	\$45
Following fire apparatus too closely	8-1581	\$75
Driving over fire hose	8-1582	\$45
Putting glass, etc., on highway	8-1583	\$105
Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$45
Improper operation of snowmobile on highway	8-1585	\$45
Parental responsibility of child riding bicycle	8-1586	\$45
Not riding on bicycle seat; too many persons on bicycle	8-1588	\$45
Clinging to other vehicle	8-1589	\$45
Improper riding of bicycle on roadway	8-1590	\$45
Carrying articles on bicycle; one hand on handlebars	8-1591	\$45
Improper bicycle lamps, brakes or reflectors	8-1592	\$45
Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$45
Improper operation of motorcycle on laned roadway	8-1595	\$75
Motorcycle clinging to other vehicle	8-1596	\$45
Improper motorcycle handlebars or passenger equipment	8-1597	\$75
Motorcycle helmet and eye-protection requirements	8-1598	\$45
Unlawful operation of all-terrain vehicle	8-15,100	\$75
Unlawful operation of low-speed vehicle	8-15,101	\$75
Littering	8-15,102	\$115
Disobeying school crossing guard	8-15,103	\$75
Unlawful operation of micro	8-15,106	\$75

utility truck		
Failure to remove vehicles in accidents	8-15,107	\$75
Unlawful operation of golf cart	8-15,108	\$75
Unlawful operation of work-site utility vehicle	8-15,109	\$75
Unlawful display of license plate	8-15,110	\$60
<u>Unlawful text messaging use of a wireless communication device</u>	8-15,111	\$60
Equipment offenses that are not misdemeanors	8-1701	\$75
Driving without lights when needed	8-1703	\$45
Defective headlamps	8-1705	\$45
Defective tail lamps	8-1706	\$45
Defective reflector	8-1707	\$45
Improper stop lamp or turn signal	8-1708	\$45
Improper lighting equipment on certain vehicles	8-1710	\$45
Improper lamp color on certain vehicles	8-1711	\$45
Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$45
Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$45
No lamp or flag on projecting load	8-1715	\$75
Improper lamps on parked vehicle	8-1716	\$45
Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$45
Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$45
Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$45
Improper lamps or lights on	8-1720	\$45

emergency vehicle		
Improper stop or turn signal	8-1721	\$45
Improper vehicular hazard warning lamp	8-1722	\$45
Unauthorized additional lighting equipment	8-1723	\$45
Improper multiple-beam lights	8-1724	\$45
Failure to dim headlights	8-1725	\$75
Improper single-beam headlight	8-1726	\$45
Improper speed with alternate lighting	8-1727	\$45
Improper number of driving lamps	8-1728	\$45
Unauthorized lights and signals	8-1729	\$45
Improper school bus lighting equipment and warning devices	8-1730	\$45
Unauthorized lights and devices on church or day-care bus	8-1730a	\$45
Improper lights on highway construction or maintenance vehicles	8-1731	\$45
Defective brakes	8-1734	\$45
Defective or improper use of horn or warning device	8-1738	\$45
Defective muffler	8-1739	\$45
Defective mirror	8-1740	\$45
Defective wipers; obstructed windshield or windows	8-1741	\$45
Improper tires	8-1742	\$45
Improper flares or warning devices	8-1744	\$45
Improper use of vehicular hazard warning lamps and devices	8-1745	\$45
Improper air-conditioning equipment	8-1747	\$45
Improper safety belt or shoulder harness	8-1749	\$45
Improper wide-based single tires	8-1742b	\$75
Improper compression release engine braking system	8-1761	\$75

Defective motorcycle head-lamp	8-1801	\$45
Defective motorcycle tail lamp	8-1802	\$45
Defective motorcycle reflector	8-1803	\$45
Defective motorcycle stop lamps and turn signals	8-1804	\$45
Defective multiple-beam lighting	8-1805	\$45
Improper road-lighting equipment on motor-driven cycles	8-1806	\$45
Defective motorcycle or motor-driven cycle brakes	8-1807	\$45
Improper performance ability of brakes	8-1808	\$45
Operating motorcycle with disapproved braking system	8-1809	\$45
Defective horn, muffler, mirrors or tires	8-1810	\$45
Unlawful statehouse parking	75-4510a	\$30
Exceeding gross weight of vehicle or combination	8-1909	Pounds Overweight up to 1000.....\$40 1001 to 2000.....3¢ per pound 2001 to 5000.....5¢ per pound 5001 to 7500.....7¢ per pound 7501 and over.....10¢ per pound
Exceeding gross weight on any axle or tandem, triple or quad axles	8-1908	Pounds Overweight up to 1000 \$40 1001 to 2000.....3¢ per pound 2001 to 5000.....5¢ per pound 5001 to 7500.....7¢ per pound 7501 and over.....10¢ per pound
Failure to obtain proper registration, clearance or to have current certification	66-1324	\$287

Insufficient liability insurance for motor carriers	66-1,128 or 66-1314	\$137
Failure to obtain interstate motor fuel tax authorization	79-34,122	\$137
No authority as private or common carrier	66-1,111	\$137
Violation of motor carrier safety rules and regulations, except for violations specified in subsection (b)(2) of K.S.A. 66-1,130, and amendments thereto	66-1,129	\$115

(d) Traffic offenses classified as traffic infractions by this section shall be classified as ordinance traffic infractions by those cities adopting ordinances prohibiting the same offenses. A schedule of fines for all ordinance traffic infractions shall be established by the municipal judge in the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such fines may vary from those contained in the uniform fine schedule contained in subsection (c).

(e) Fines listed in the uniform fine schedule contained in subsection (c) shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone as defined in K.S.A. 8-1458a, and amendments thereto.

(f) For a second violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after a prior conviction of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 1½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years, after two prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined two times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after three prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined 2½ times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c).

(g) Fines listed in the uniform fine schedule contained in subsection (c) relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of exceeding the maximum speed limit in a school zone authorized under ~~subsection (a)(4)~~ of K.S.A. 8-1560(a)(4), and amendments thereto.;

Also on page 2, in line 17, by striking "is" and inserting "and 8-2118 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "8-15,111" by inserting "and 8-2118"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

COMMITTEE APPOINTMENTS

Speaker pro tem Schwab announced the appointment of Rep. Resman to the following House Standing Committees: Committee on Children and Seniors, Committee on Government Technology and Security and Committee on General Government Budget.

REPORT ON ENGROSSED BILLS

HB 2031, HB 2111, HB 2121, HB 2234 reported correctly engrossed February 17, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6012 reported correctly enrolled and properly signed on February 20, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, February 21, 2017.

Journal of the House

THIRTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, February 21, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Excused later: Rep. Powell.

Prayer by guest chaplain, Senior Pastor David Walker, Faith Christian Center International, Leavenworth, and guest of Rep. Pittman:

Father God, of all creation in the name of Jesus Christ we come humbly but boldly to your throne of grace, to obtain your mercy, wisdom, and blessings.

Father, we thank you for your loving kindness that you have constantly shown this great state.

Father, we ask that you would grant wisdom and understanding to this governing body, that would have your clear guidance concerning your will for the people of Kansas.

Father, we ask that there will be no division in this governing body, but each official would walk in understanding, and empathy towards one another.

As this governing body seeks unity and fairness for all citizens of the state of Kansas, let all officials look to you first for your will to be done.

Abba Father, we thank you for granting us our desired petitions in Jesus Christ name we pray. Amen

The Pledge of Allegiance was led by Rep. Clayton.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2369, AN ACT concerning sales and compensating use taxation; relating to rates, food and food ingredients; amending K.S.A. 2016 Supp. 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2370, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2331**, **HB 2332**, **HB 2359** from Committee on Appropriations and rereferral to Committee on Government, Technology and Security.

Also, the withdrawal of **HB 2232** from Committee on Children and Seniors and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2047** from Committee on Health and Human Services and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2194** from Committee on Transportation and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

In accordance with subsection (b) of House Rule 1309, Rep. Ward moved that **HB 2064** be withdrawn from Committee on Health and Human Services and be placed on the calendar under the order of business General Orders.

Also, pursuant to House Rule 2311 and in accordance with Subsection (b) of House Rule 1503, Rep. Ward moved the bill be moved to the first order of business to be considered on General Orders on February 22, 2017.

INTRODUCTION OF ORIGINAL MOTIONS

In accordance with subsection (b) of House Rule 1309, Rep. Crum moved that **HB 2179** be withdrawn from Committee on Education and be placed on the calendar under the order of business General Orders.

Also, pursuant to House Rule 2311 and in accordance with Subsection (b) of House Rule 1503, Rep. Crum moved the bill be moved to the second order of business to be considered on General Orders on February 22, 2017.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6014—

By Representatives Mason, Brim, Clark, Clayton, Curtis, Dietrich, Hineman, Kessinger, Lewis, Proehl, Rahjes, Schreiber, Schroeder, Seiwert, Sloan, Sutton, Waymaster and Weber

HR 6014— A RESOLUTION recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.

(1) That Kansas supports Taiwan's mature and vital democracy, and celebrates the 28th anniversary of sister-state relations;

(2) that Kansas endorses the signing of a bilateral investment agreement and free trade agreement between Taiwan and the United States; and

(3) that Kansas continues to support Taiwan's appropriate participation in international organizations, which impacts the health, safety and well-being of its people; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the United States Secretary of State, Rex

Tillerson, the President of Taiwan, Tsai Ing-wen, each member of the Kansas Congressional Delegation and Representative Mason.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Trimmer, **HR 6009**, A RESOLUTION recognizing National Speech and Debate Education Day, was adopted.

In recognition of National Speech and Debate Education Day, Rep. Trimmer introduced Dustin Rimmey, Pam McComas, Gail Naylor and Craig Manteuffel to the members of the House.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Holscher, **HR 6010**, A RESOLUTION congratulating and commending the Blue Valley School District on their academic excellence, was adopted.

There being no objection, the following remarks of Rep. Holscher are spread across the Journal:

Mr. Speaker, honorable colleagues of the House: Academic achievement is at an all-time high in Blue Valley. The district's 2015 graduates posted the highest ACT and SAT composite scores of Kansas City metropolitan area school districts. Graduates averaged an ACT composite score of 25.4 and an SAT composite score of 1864, both of which exceed the state and national averages.

The percentages of Blue Valley students enrolling, remaining and graduating from college continue to be well above the national average. Blue Valley is poised to shape strong leaders for the future.

Recently, the Blue Valley district was recognized for outperforming all educational systems in the world, except one, in the areas of math and science. For their exceptional results, we are proud to recognize the Blue Valley district today.

Rep. Holscher introduced the following guests to the members of the House and presented them with a framed House resolution: Dr. Todd White, Superintendent; Dr. Tonya Merrigan, Assistant Superintendent for Academic Services; Tom Mitchell, Board Member; Pam Robinson, Board Member; Mike Seitz, Board Member; Stacy Obringer-Varhall, Board Member and Cindy Bowling, Board Member.

CONSENT CALENDAR

No objection was made to **HB 2301** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2079, AN ACT concerning motor vehicles; relating to water district vehicle registration; amending K.S.A. 2016 Supp. 8-1,134 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker,

Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2102, AN ACT concerning counties; dealing with the board of county commissioners; amending K.S.A. 19-206 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2125, AN ACT concerning public benefit corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 2016 Supp. 17-6014, 17-6712, 17-7903 and 17-7919 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Landwehr.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2158, AN ACT concerning elections; dealing with advance voting procedures; amending K.S.A. 25-1132, 25-1133, 25-1134 and 25-1136 and K.S.A. 2016 Supp. 25-3107 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Campbell, E. Davis.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2170, AN ACT concerning bicycles; relating to safety equipment; lamps and reflectors; amending K.S.A. 8-1592 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 9; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Dove, Hoffman, Houser, Landwehr, Miller, Seiwert, Sutton, Vickrey.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2268** be adopted; and the bill be passed as amended.

Committee report to **HB 2186** be adopted.

On motion of Rep. Stogsdill to amend **HB 2186**, Rep. Aurand requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Also, roll call was demanded on the motion of Rep. Stogsdill, to amend **HB 2186**, as amended by House Committee, on page 14, following line 13, by inserting:

"Sec. 34. K.S.A. 2016 Supp. 72-5436 is hereby amended to read as follows: 72-5436. As used in ~~this act~~ K.S.A. 72-5436 and 72-5438 through 72-5446, and amendments thereto: (a) "Teacher" means any professional employee who is required to hold a certificate to teach in any school district and any teacher or instructor in any technical college, the institute of technology at Washburn university or community college. The term "teacher" does not include within its meaning any supervisors, principals, superintendents or any person employed under the authority of K.S.A. 72-8202b, and amendments thereto, or any persons employed in an administrative capacity by any technical college, the institute of technology at Washburn university or community college.

(b) "Board" means the board of education of any school district, the governing body of any technical college or the institute of technology at Washburn university, and the board of trustees of any community college.

Sec. 35. K.S.A. 2016 Supp. 72-5438 is hereby amended to read as follows: 72-5438. (a) Whenever a teacher is given written notice of intention by a board to not renew or to terminate the contract of the teacher as provided in K.S.A. 72-5437, and amendments thereto, the written notice of the proposed nonrenewal or termination shall include: (1) A statement of the reasons for the proposed nonrenewal or termination; and (2) a statement that the teacher may have the matter heard by a hearing officer upon written request filed with the clerk of the board of education or the board of control or the secretary of the board of trustees within 15 calendar days from the date of such notice of nonrenewal or termination.

(b) Within 10 calendar days after the filing of any written request of a teacher to be heard as provided in subsection (a), the board shall notify the commissioner of education that a list of qualified hearing officers is required. Such notice shall contain the mailing address of the teacher. Within 10 days after receipt of notification from the board, the commissioner shall provide to the board and to the teacher, a list of five randomly selected, qualified hearing officers.

(c) Within five days after receiving the list from the commissioner, each party shall eliminate two names from the list, and the remaining individual on the list shall serve as hearing officer. In the process of elimination, each party shall eliminate no more than one name at a time, the parties alternating after each name has been eliminated. The first name to be eliminated shall be chosen by the teacher within five days after the teacher receives the list. The process of elimination shall be completed within five days thereafter.

(d) Either party may request that one new list be provided within five days after receiving the list. If such a request is made, the party making the request shall notify the commissioner and the other party, and the commissioner shall generate a new list and distribute it to the parties in the same manner as the original list.

(e) In lieu of using the process provided in subsections (b) and (c), if the parties agree, they may make a request to the American arbitration association for an arbitrator to serve as the hearing officer. Any party desiring to use this alternative procedure shall so notify the other party in the notice required under subsection (a). If the parties agree to use this procedure, the parties shall make a joint request to the American arbitration association for a hearing officer within 10 days after the teacher files a request for a hearing. If the parties choose to use this procedure, the parties shall each pay one-half of the cost of the arbitrator and of the arbitrator's expenses.

(f) The commissioner of education shall compile and maintain a list of hearing officers comprised of residents of this state who are attorneys at law. Such list shall include a statement of the qualifications of each hearing officer.

(g) Attorneys interested in serving as hearing officers under the provisions of this act shall submit an application to the commissioner of education. The commissioner shall determine if the applicant is eligible to serve as a hearing officer pursuant to the provisions of subsection (h).

(h) An attorney shall be eligible for appointment to the list if the attorney has: (1) Completed a minimum of 10 hours of continuing legal education credit in the area of education law, due process, administrative law or employment law within the past five years; or (2) previously served as the chairperson of a due process hearing committee prior to the effective date of this act. An attorney shall not be eligible for appointment to the list if the attorney has been employed to represent a board or a teacher in a due

process hearing within the past five years.

Sec. 36. K.S.A. 2016 Supp. 72-5439 is hereby amended to read as follows: 72-5439. The hearing provided for under K.S.A. 72-5438, and amendments thereto, shall commence within 45 calendar days after the hearing officer is selected unless the hearing officer grants an extension of time. The hearing shall afford procedural due process, including the following:

(a) The right of each party to have counsel of such party's own choice present and to receive the advice of such counsel or other person whom such party may select;

(b) the right of each party or such party's counsel to cross-examine any person who provides information for the consideration of the hearing officer, except those persons whose testimony is presented by affidavit;

(c) the right of each party to present such party's own witnesses in person, or their testimony by affidavit or deposition, except that testimony of a witness by affidavit may be presented only if such witness lives more than 100 miles from the location of the unified school district office, the technical college, institute of technology at Washburn university or community college, or is absent from the state, or is unable to appear because of age, illness, infirmity or imprisonment. When testimony is presented by affidavit the same shall be served upon the clerk of the board of education, the board of control, the secretary of the board of trustees or the agent of the board and upon the teacher in person or by first-class mail to the address of the teacher which is on file with the board not less than 10 calendar days prior to presentation to the hearing officer;

(d) the right of the teacher to testify in the teacher's own behalf and give reasons for the teacher's conduct, and the right of the board to present its testimony through such persons as the board may call to testify in its behalf and to give reasons for its actions, rulings or policies;

(e) the right of the parties to have an orderly hearing; and

(f) the right of the teacher to a fair and impartial decision based on substantial evidence.

Sec. 37. K.S.A. 2016 Supp. 72-5445 is hereby amended to read as follows: 72-5445. (a) Except as otherwise provided in this section, the provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto, apply only to:

(1) Teachers who have completed not less than three consecutive years of employment, and been offered a fourth contract, in the school district, the technical college, institute of technology at Washburn university or community college by which any such teacher is currently employed; and

(2) teachers who have completed not less than two consecutive years of employment, and been offered a third contract, in the school district, the technical college, institute of technology at Washburn university or community college by which any such teacher is currently employed if at any time prior to the current employment the teacher has completed the years of employment requirement of paragraph (1) of this subsection in any school district, technical college, the institute of technology at Washburn university or community college in this state.

(b) Any board may waive, at any time, the years of employment requirements of subsection (a)(1) for any teacher employed by it.

(c) The provisions of this ~~subsection~~ section are subject to the provisions of K.S.A. 72-5446, and amendments thereto.

(d) The provisions of K.S.A. 72-5438 through 72-5443, and amendments thereto,

do not apply to any teacher whose license has been non-renewed or revoked by the state board of education because the teacher has:

(1) Been convicted of a felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(2) been convicted of a felony described in any section of article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2016 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto, or an act described in K.S.A. 21-3412, prior to its repeal, or K.S.A. 2016 Supp. 21-5413(a), or K.S.A. 21-3412a, prior to its repeal, or K.S.A. 2016 Supp. 21-5414, and amendments thereto, if the victim is a minor or student;

(3) been convicted of a felony described in any section of article 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2016 Supp. 21-6419 through 21-6421, and amendments thereto, or has been convicted of an act described in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2016 Supp. 21-5505(a), and amendments thereto, if the victim is a minor or student;

(4) been convicted of any act described in any section of article 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 56 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto;

(5) been convicted of a felony described in article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 58 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2016 Supp. 21-6412(a)(6), and amendments thereto;

(6) been convicted of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2016 Supp. 21-5301, and amendments thereto, to commit any act specified in this subsection;

(7) been convicted of any act which is described in K.S.A. 21-4301, 21-4301a or 21-4301c, prior to their repeal, or K.S.A. 2016 Supp. 21-6401 or 21-6402, and amendments thereto;

(8) been convicted in another state or by the federal government of an act similar to any act described in this subsection; or

(9) has entered into a criminal diversion agreement after having been charged with any offense described in this subsection.";

Also on page 14, in line 16, after "66-1712" by inserting "and K.S.A. 2016 Supp. 72-5436, 72-5438, 72-5439 and 72-5445";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "dispute resolution; relating to"; in line 2, after the semicolon by inserting "teacher contracts;"; also in line 2, after "66-1712" by inserting "and K.S.A. 2016 Supp. 72-5436, 72-5438, 72-5439 and 72-5445"

On roll call, the vote was: Yeas 66; Nays 59; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Ellis, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Highberger,

Hodge, Holscher, Judd-Jenkins, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Pittman, Proehl, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Barker, Blex, Campbell, B. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Eplee, Esau, Finch, Francis, Garber, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Karleskint, Kelly, Lakin, Landwehr, Mason, Osterman, F. Patton, Phillips, R. Powell, Rafie, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

The motion of Rep. Stogsdill prevailed.

Also, on motion of Rep. Carpenter to amend **HB 2186**, Rep. Trimmer requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **HB 2186** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2304** be amended on page 2, in line 15, by striking "not" and inserting "ensure that all of the following requirements are met for children under 12 months of age"; in line 16, by striking all after "(1)"; by striking all in lines 17 through 22; in line 23, by striking "(e)" and inserting "A child shall only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment;

(2) the sleep surface shall be free from soft or loose bedding, including, but not limited to, blankets, bumpers and pillows; and

(3) the sleep surface shall be free from toys, including mobiles and other types of play equipment or devices.

(e) Child care facilities shall ensure that children over 12 months of age only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment.

(f) The secretary of health and environment may exercise discretion to make exceptions to requirements in subsections (d) and (e) where special health needs exist.

(g)";

Also on page 2, in line 33, by striking "(e)" and inserting "(g)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2329** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2168** be amended on page 2, in line 11, by striking "40%" and inserting "60%";

On page 4, in line 25, by striking "in any one fiscal year";

On page 8, in line 25, by striking "actual revenue impact from its funding" and

inserting "number of jobs created or retained by the rural business concerns that received fundings from an approved investment fund"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2262** be amended on page 1, in line 9, by striking "or"; also in line 9, after the second comma by inserting "the secretary of corrections or the secretary's designee"; in line 10, after "agency" by inserting "or a department of corrections";

On page 2, in line 8, by striking all after the comma; in line 9, by striking all before "a" and inserting "or"; in line 11, by striking "or a correctional officer"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2256** be amended on page 1, in line 16, by striking "100" and inserting "250"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2107** be amended on page 1, in line 8, by striking "Sec." and inserting "Section";

On page 5, in line 20, after the stricken material by inserting "pharmacist.";

On page 7, in line 5, by striking "July" and inserting "January"; in line 12, by striking all after "of"; by striking all in line 13; in line 14, by striking "prescribed" and inserting "an interchangeable biological product";

On page 10, in line 19, by striking "July" and inserting "January"; in line 21, after "the" by inserting "federal"; also in line 21, by striking "administration" and inserting "administration's";

On page 17, in line 34, by striking "the federal food and drug administration has not determined"; in line 35, by striking "to be" and inserting "is not an"; also in line 35, by striking "with" and inserting "biological product for"; in line 38, by striking ", prior to dispensing an interchangeable biological product, "; in line 40, by striking "will be" and inserting "has been";

On page 19, in line 30, by striking "list" and inserting "lists";

On page 21, in line 37, by striking "the federal food and drug administration has not determined"; in line 38, by striking "to be" and inserting "is not an"; also in line 38, by striking "with" and inserting "biological product for"; and the bill be passed as amended.

On motion of Rep. Hineman, the House recessed until 1:30 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

There being no objection, Rep. Crum withdrew his previous motion (see morning session) to withdraw **HB 2179** from Committee on Education.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2128, HB 2176** be passed.

HB 2080 be passed over and retain a place on the calendar.

Committee report to **HB 2070** be adopted; and the bill be passed as amended.

Committee report to **SB 30** be adopted; and the bill be passed as amended.

Committee report to **HB 2333** be adopted; and the bill be passed as amended.

Committee report to **HB 2153** be adopted; and the bill be passed as amended.

On motion of Rep. Hineman, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Johnson in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2136, HB 2140** be passed.

HB 2197, HB 2210, HB 2219, HB 2106 be passed over and retain a place on the calendar.

Committee report to **HB 2011** be adopted;

Roll call was demanded on motion of Rep. Miller to amend **HB 2011**, as amended by House Committee, on page 2, following line 15, by inserting:

"(5) For the office of member of the house of representatives, \$500 for each primary election, (or in lieu thereof a caucus or convention of a political party) and an equal amount for each general election."

On roll call, the vote was: Yeas 46; Nays 76; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, Crum, S., Curtis, Deere, Dierks, Ellis, Finney, Frownfelter, Gartner, Good, Helgerson, Henderson,

Hibbard, Highberger, Hodge, Holscher, Kuether, Landwehr, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Pittman, Ruiz, Sawyer, Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Francis, Gallagher, Garber, Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Markley, Mastroni, Orr, Osterman, F. Patton, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams, Wilson.

Present but not voting: None.

Absent or not voting: Aurand, Mason, R. Powell.

The motion of Rep. Miller did not prevail.

The motion to recommend **HB 2011** favorably for passage did not prevail.

Committee report recommending a substitute bill to **Sub HB 2223** be adopted;

Also, on motion of Rep. Jennings to re-refer **Sub HB 2223** to Committee on Elections the motion prevailed.

REPORT ON ENGROSSED BILLS

HB 2079, HB 2158 reported correctly engrossed February 20, 2017.

REPORT ON ENROLLED BILLS

Sub HB 2178 reported correctly enrolled, properly signed and presented to the Governor on February 21, 2017.

On motion of Rep. Hineman, the House adjourned until 9:00 a.m., Wednesday, February 22, 2017.

Journal of the House

THIRTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, February 22, 2017, 9:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by guest chaplain, Father Matt Zimmerman, St. Margaret's Episcopal Church, Lawrence, and guest of Rep. Sloan:

In Solidarity with our Jewish Brothers and Sisters, I begin with the word of St. Francis:

Lord, make us instruments of your peace. Where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life. Prayer of St. Francis.

Grant to these women and men present here today, the grace to pursue your will for our common life together. Bless them with perseverance and steadfastness in these difficult and challenging times. Most of all, I pray that they would have an awareness of your joy and peace as they go about this Holy work. Amen

The Pledge of Allegiance was led by Rep. Lusk.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committee as indicated:

Taxation: **HB 2369**, **HB 2370**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2194** from Committee on Appropriations and rereferral to Committee on Transportation.

Also, the withdrawal of **HB 2232** from Committee on Appropriations and rereferral to Committee on Children and Seniors.

MESSAGES FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2178**, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269. was received and read.

MESSAGE FROM THE GOVERNOR**REGARDING VETO OF SUBSTITUTE FOR HOUSE BILL 2178**

My veto of Substitute for House Bill 2178 is based in my belief that, as the elected public servants of Kansas, we must not choose to resolve budget challenges on the backs of middle income Kansans with retroactive personal income tax increases.

We should be clear about what this bill will do. The proposed tax increase will raise income tax liability for married Kansans filing jointly earning at least \$30,000 per year from 4.6% to 5.25%, and from 4.6% to 5.45% for those married filers earning more than \$100,000 per year. At the same time, income tax rates for small businesses will increase from 0% up to 5.45%, depending on income. More to the point, any single full-time worker earning more than \$9.74 per hour will see an income tax increase.

Working families and small businesses are the backbone of our economy, and we should not punish them.

Moreover, applying a retroactive tax increase on our citizens is irresponsible and will ultimately harm families and individuals who are working to make ends meet. Were this bill to become law, the majority of Kansans would see a significant reduction in their pay check immediately. This is unfair.

I also reject the idea that we must choose to either make large cuts to public education or burden every hard working Kansan with a higher tax rate. This dichotomy is false. In my budget proposal, I suggested modest revenue measures on targeted consumption and taxes paid by businesses. I have also proposed adoption of efficiencies recommended by the study commissioned by the Legislature, all of which result in a structurally balanced budget by Fiscal Year 2019. It is irresponsible to raise taxes on low and middle income Kansans without first ensuring we are doing everything we can to keep the cost of government low.

Kansas has pioneered new ground to generate small business growth and thus create jobs and economic opportunity for more Kansans. We have seen record levels of new business formation and consistently low unemployment. These efforts have been successful, and reversing course now will have a long term negative impact on growing business and opportunity in Kansas. Instead, this bill would raise the tax burden on every small business in the state, create a new tax bracket, raise the income tax liability of Kansans, and would result in undermining the economic health of our state and the opportunity for every Kansan to provide for themselves and their families.

It is our responsibility to make the decisions to build a brighter future for Kansas and to ensure that we do everything we can to provide high quality government service at

the lowest cost to Kansans.

Over the coming weeks, I will remain committed to working with legislative leadership to develop a plan that structurally balances our budget without permanently harming hard working Kansans.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Bill 2178.

Dated: February 22, 2017

SAM BROWNBACK
Governor of Kansas

On motion of Rep. Rep. Johnson the House proceeded to reconsider **Sub HB 2178** AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269..

The Governor's objection to **Sub HB 2178** having been read (HJ Page 311), the question being shall the bill be passed not withstanding the Governor's veto?

Call of the House was demanded.

On roll call, the vote was: Yeas 85; Nays 40; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuetner, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Awerkamp, Barker, Blex, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Garber, Hawkins, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Osterman, R. Powell, Rafie, Resman, Ryckman, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

MOTIONS OF A PREVIOUS DAY

There being no objection, Rep. Ward withdrew his previous motion of February 21, 2017, to withdraw **HB 2064** from Committee on Health and Human Services.

INTRODUCTION OF ORIGINAL MOTIONS

Pursuant to House Rule 2311 and in accordance with Subsection (b) of House Rule 1503, Rep. Hineman moved **HB 2044** be moved to the fourth order of business to be considered on General Orders. The motion prevailed.

CONSENT CALENDAR

No objection was made to **HB 2301** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2301, AN ACT concerning legislative review of exceptions to disclosure of public records; amending K.S.A. 2016 Supp. 45-229 and 75-7d08 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 45-229c, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 30, AN ACT concerning taxation; relating to sales taxation, the Kansas retailers' sales tax act, definitions; income taxation, reporting requirements, dates; amending K.S.A. 2016 Supp. 79-3298, 79-3299 and 79-3602 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert,

Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Landwehr, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2070, AN ACT concerning the Kansas law enforcement training act; relating to open records, exemptions; amending K.S.A. 2016 Supp. 74-5607 and 74-5611a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 18; Present but not voting: 0; Absent or not voting: 0.

Yeas: Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcala, Alford, Ballard, Clayton, Crum, S., Curtis, Finney, Henderson, Hodge, Holscher, Kuether, Ohaebosim, Ousley, Parker, Ruiz, Terrell, Victors, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2128, AN ACT concerning the Kansas open meetings act; relating to closed or executive meetings; governor's domestic violence fatality review board; amending K.S.A. 2016 Supp. 75-4319 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 21; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger,

Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, F. Patton, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Carlin, Crum, S., Curtis, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Kuether, Lusk, Ousley, Parker, Phelps, Ruiz, Terrell, Trimmer, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2136, AN ACT concerning weights and measures; relating to service companies; technical representatives; amending K.S.A. 2016 Supp. 83-402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 6; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, DeGraaf, Dove, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2140, AN ACT concerning firefighting; relating to interstate compacts; great plains interstate fire compact, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schwab.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2153, AN ACT concerning certain state agencies; relating to the transfer of fees; notification of such transfer; amending K.S.A. 75-3036 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Pittman.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2176, AN ACT concerning sexual assault evidence collection examinations; relating to parental notification; amending K.S.A. 2016 Supp. 65-448 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 17; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Huebert, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley,

Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Corbet, Esau, Garber, Hoffman, Houser, Humphries, Jacobs, K. Jones, Mason, R. Powell, Rafie, Seiwert, Sutton, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2186, AN ACT concerning dispute resolution; relating to arbitration; enacting the uniform arbitration act of 2000; teacher contracts; amending K.S.A. 50-6,100 and 66-1712 and K.S.A. 2016 Supp. 72-5436, 72-5438, 72-5439 and 72-5445 and repealing the existing sections; also repealing K.S.A. 5-401, 5-402, 5-403, 5-404, 5-405, 5-406, 5-407, 5-408, 5-409, 5-410, 5-411, 5-412, 5-413, 5-414, 5-415, 5-416, 5-417, 5-418, 5-419, 5-420, 5-421 and 5-422, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 53; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Arnberger, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Ellis, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hodge, Holscher, Jennings, Judd-Jenkins, Karleskint, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Proehl, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Aurand, Awerkamp, Barker, Blex, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Eplee, Esau, Finch, Francis, Garber, Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Johnson, K. Jones, Kelly, Lakin, Landwehr, Mason, Orr, Osterman, F. Patton, Phillips, R. Powell, Rafie, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote No on **HB 2186**. The underlying bill was a good and necessary bill to bring arbitration standards up to date. The amendment to bring back state mandated methods for providing due process to teachers is a step backward from local control and will invalidate gains teachers have made in some districts. This is an issue best handled by the local school boards and the people who elect them. The amendment simply says that we do not trust our local school boards and officials and for that reason, I vote no. — KEITH ESAU, TREVOR JACOBS

MR. SPEAKER: I vote “no” on **HB 2186** as amended. As an elected local school board member, it is easy to look over my shoulder and blame the State on funding, mandates, and the like. I prefer the responsibility of teacher due process be on my shoulders as a local school board member rather than this mandate before me as a State Legislator. We are stripping our local school boards of their given voice and given authority to our good teachers. – KEVIN JONES

MR. SPEAKER: I vote NO on **HB 2186**. The bill with the amendment mandates how school districts must deal with employees. We are either for local control by duly elected officials whom we trust to make decisions, or not. This bill says there is not trust in our locally elected officials and that troubles me moving forward. What's next, a state school czar and no local school boards? – RONALD HIGHLAND

HB 2268, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; determining actuarial equivalent or actuarial computation, interest factor; amending K.S.A. 2016 Supp. 74-4914, 74-4937 and 74-49,123 and repealing the existing sections; also repealing K.S.A. 2016 Supp 74-4914f, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 9; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Dove, Jacobs, Landwehr, Sutton, Tarwater, Thimesch, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2333, AN ACT concerning elections; relating to audits; amending K.S.A. 2016 Supp. 25-3104, 25-4403 and 25-4406 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 1; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis,

Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: Pittman.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Aurand in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2197** be passed.

On motion of Rep. Corbet to re-refer **HB 2080** to Committee on Water and Environment the motion did not prevail and the bill be passed.

HB 2044 be passed over and retain a place on the calendar. (See further action in afternoon session.)

Committee report to **HB 2210** be adopted. On motion of Rep. Cox to amend **HB 2210**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2106** be adopted; and the bill be passed as amended.

Committee report to **HB 2036** be adopted. On motion of Rep. Helgerson, **HB 2036** be amended as amended by House Committee, on page 3, in line 36, before "The" by inserting "(a)"; following line 38, by inserting:

"(b) The secretary of revenue shall annually submit a written report to the house appropriations committee and to the senate ways and means committee, or the successors to those committees, beginning with the 2019 legislative session. The report shall contain information regarding the cost and effectiveness of the tax credit program described in sections 1 through 4, and amendments thereto. The secretary also may include in the report any recommendations for changes to law necessary to implement sections 1 through 4, and amendments thereto.

Sec. 6. No new credits shall be issued or may be earned under the provisions of sections 1 through 4, and amendments thereto, after December 31, 2022.";

And by renumbering sections accordingly

Also, on motion of Rep. Proehl to refer **HB 2036** to Committee on Taxation, the motion did not prevail, and the bill be passed as amended.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2371, AN ACT concerning income taxation; relating to credits, expenses for household and dependent care services necessary for gainful employment, by Committee on Taxation.

HB 2372, AN ACT concerning taxation; providing homestead property tax refund for renters; amending K.S.A. 2016 Supp. 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections, by Committee on Taxation.

HB 2373, AN ACT concerning taxation; providing food sales tax refunds; income tax, credits, certain taxpayers who purchased food in this state; amending K.S.A. 2016 Supp. 79-32,271 and repealing the existing section, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2223** from Committee on Elections and referral to Committee on Appropriations.

On motion of Rep. Hineman, the House recessed until 1:15 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2267** from Committee on Financial Institutions and Pensions and referral to Committee on Federal and State Affairs.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2260**, **HB 2066**, **HB 2312**, **HB 2160** be passed.

HB 2271 be passed over and retain a place on the calendar.

Committee report to **HB 2095** be adopted.

Also on motion of Rep. Landwehr to amend **HB 2095**, the motion did not prevail.

Also, on motion of Rep. Frownfelter to amend **HB 2095**, the motion did not prevail.

On motion to recommend **HB 2095** favorably for passage, the motion prevailed and the bill be passed as amended.

Committee report to **HB 2044** be adopted.

Also on motion of Rep. Concannon, **HB 2044** be amended, as amended by House Committee, following line 4, by inserting:

"Section 1. Sections 1 through 13, and amendments thereto, shall be known and may be cited as the KanCare bridge to a healthy Kansas program, which is hereby established. The department of health and environment shall administer and promote the program and provide information to potential eligible individuals who live in medically underserved areas of Kansas.

Sec. 2. For purposes of eligibility determinations under the Kansas program of medical assistance on or after January 1, 2018, medical assistance shall be granted to any adult under 65 years of age, who is a United States citizen or legal resident and who has been a resident of Kansas for at least 12 months, who is not pregnant and whose income does not exceed 133% of the federal poverty level, to the extent permitted under the provisions of 42 U.S.C. § 1396a, as it exists on the effective date of this act, and subject to the requirements of the KanCare bridge to a healthy Kansas program.

Sec. 3. (a) The department of health and environment shall refer all non-disabled adults in the KanCare bridge to a healthy Kansas program who are unemployed or working fewer than 20 hours a week, as a condition of the program, to the state's existing workforce training programs and work search resources, including, but not limited to:

- (1) The Kansasworks program administered by the department of commerce; or
 - (2) the generating opportunities to attain lifelong success program administered by the department for children and family services.
- (b) The KanCare bridge to a healthy Kansas program application shall:
- (1) Screen applicants for education status;
 - (2) screen applicants for employment status; and
 - (3) require applicants to acknowledge the referral required by subsection (a).
- (c) Full-time students shall be exempted from the referral required by subsection (a) for each year they are enrolled in a postsecondary education institution or technical school.

(d) Parents with minor children in the home are exempt from the referral required by subsection (a) at the discretion of the department of health and environment.

Sec. 4. (a) The department of health and environment may establish a health insurance coverage premium assistance program for individuals who meet the following requirements:

(1) The individual has an annual household income of not more than 133% of the federal income poverty level, based on the adjusted gross income provisions set forth in section 2001(a)(1) of the federal patient protection and affordable care act; or

(2) the individual is eligible for health insurance coverage through an employer but cannot afford the health insurance coverage premiums.

(b) A program established under this section must:

(1) Contain eligibility requirements that are similar to the eligibility requirements of the KanCare bridge to a healthy Kansas program; and

(2) provide that an individual's payment for a health insurance coverage premium may not exceed 2% of the individual's annual income.

Sec. 5. (a) A denial of federal approval and federal financial participation that applies to any part of the KanCare bridge to a healthy Kansas program shall not prohibit

the department of health and environment from implementing any other part of the program, except for section 13, and amendments thereto, that:

- (1) Is federally approved for federal financial participation; or
 - (2) does not require federal approval or federal financial participation.
- (b) The secretary may make changes to the KanCare bridge to a healthy Kansas program if the changes are required by the United States department of health and human services or federal statute or regulation.

Sec. 6. The department shall produce and submit a waiver request to the United States department of health and human services to implement the program with services to begin on or before January 1, 2018.

Sec. 7. (a) All moneys collected or received by the secretary of health and environment from drug rebates connected to KanCare bridge to a healthy Kansas program beneficiaries shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the KanCare bridge to a healthy Kansas drug rebate fund.

(b) There is hereby created in the state treasury the KanCare bridge to a healthy Kansas program drug rebate fund as a reappropriating fund. Moneys in the KanCare bridge to a healthy Kansas program drug rebate fund shall be expended for the purpose of medicaid medical assistance payments for KanCare bridge to a healthy Kansas program beneficiaries. All expenditures from the KanCare bridge to a healthy Kansas program drug rebate fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(c) The KanCare bridge to a healthy Kansas program drug rebate fund shall be used for the purposes set forth in the KanCare bridge to a healthy Kansas program and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in the KanCare bridge to a healthy Kansas program, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(d) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the KanCare bridge to a healthy Kansas program drug rebate fund interest earnings based on:

- (1) The average daily balance of moneys in the KanCare bridge to a healthy Kansas program drug rebate fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(e) On or before January 8, 2018, and on or before the first day of the regular session of the legislature each year thereafter, the secretary of health and environment shall prepare and deliver a report to the legislature that summarizes all expenditures from the KanCare bridge to a healthy Kansas program drug rebate fund, fund revenues and recommendations regarding the adequacy of the fund to support KanCare bridge to a healthy Kansas program expenditures.

Sec. 8. (a) All moneys collected or received by the secretary of health and environment for privilege fees collected pursuant to K.S.A. 40-3213, and amendments thereto, connected to the KanCare bridge to a healthy Kansas program beneficiaries shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-

4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the KanCare bridge to a healthy Kansas program privilege fee fund.

(b) There is hereby created in the state treasury the KanCare bridge to a healthy Kansas program privilege fee fund as a reappropriating fund. Moneys in the KanCare bridge to a healthy Kansas program privilege fee fund shall be expended for the purpose of medicaid medical assistance payments for KanCare bridge to a healthy Kansas program beneficiaries. All expenditures from the KanCare bridge to a healthy Kansas program privilege fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(c) The KanCare bridge to a healthy Kansas privilege fee fund shall be used for the purposes set forth in the KanCare bridge to a healthy Kansas program and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in the KanCare bridge to a healthy Kansas program, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(d) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the KanCare bridge to a healthy Kansas privilege fee fund interest earnings based on:

- (1) The average daily balance of moneys in the KanCare bridge to a healthy Kansas privilege fee fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(e) On or before January 8, 2018, and on or before the first day of the regular session of the legislature each year thereafter, the secretary of health and environment shall prepare and deliver a report to the legislature that summarizes all expenditures from the KanCare bridge to a healthy Kansas privilege fee fund, fund revenues and recommendations regarding the adequacy of the fund to support necessary KanCare bridge to a healthy Kansas program expenditures.

Sec. 9. (a) On or before January 8, 2018, and on or before the first day of the regular session of the legislature each year thereafter, the secretary of health and environment shall prepare and deliver a report to the legislature that summarizes the cost savings achieved by the state from the movement of beneficiaries from the KanCare program to the KanCare bridge to a healthy Kansas program, including, but not limited to, the MediKan program, the medically needy spend-down program and the breast and cervical cancer program.

(b) State cost savings shall be determined by calculating the cost of beneficiaries if services were provided in the KanCare program less the cost of services provided to beneficiaries under the KanCare bridge to a healthy Kansas program.

Sec. 10. On or before January 8, 2018, and on or before the first day of the regular session of the legislature each year thereafter, the secretary of corrections shall prepare and deliver a report to the legislature that identifies cost savings to the state from the use of the KanCare bridge to a healthy Kansas program to cover inmate inpatient hospitalization.

Sec. 11. On or before February 15 of each year, the secretary of health and environment shall present a report to the house committee on appropriations and the

senate committee on ways and means that summarizes the costs for the KanCare bridge to a healthy Kansas program and the cost savings and additional revenues identified in sections 7 through 9, and amendments thereto.

Sec. 12. (a) There is hereby established the KanCare bridge to a healthy Kansas working group.

(b) The working group is charged with identifying non-state general fund sources to fund any shortfall identified by the secretary of health and environment in section 11, and amendments thereto, for the KanCare bridge to a healthy Kansas program.

(c) The working group shall be composed of the following members:

(1) Two members of the house of representatives appointed by the speaker of the house of representatives;

(2) one member of the house of representatives appointed by the minority leader of the house of representatives;

(3) two members of the senate appointed by the president of the senate;

(4) one member of the senate appointed by the minority leader of the senate;

(5) one representative from the Kansas hospital association;

(6) one representative from the Kansas medical society;

(7) one representative from the Kansas association for the medically underserved;

(8) one representative from the Kansas academy of family physicians;

(9) one representative from the association of community mental health centers of Kansas;

(10) one representative from the Kansas dental association;

(11) one representative from the Kansas emergency medical services association;

(12) one representative from the Kansas optometric association;

(13) one representative from the Kansas pharmacist's association; and

(14) one representative of KanCare bridge to a healthy Kansas program consumers from alliance for a healthy Kansas.

(d) The chairperson of the working group shall be elected by the members of the working group:

(1) From members of the working group from the house of representatives in even-numbered years; and

(2) from members of the working group from the senate in odd-numbered years.

(e) The staff of the Kansas legislative research department shall provide such assistance as may be requested by the working group.

(f) (1) Legislative members attending a meeting of the working group or a subcommittee meeting thereof shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

(2) Non-legislative members shall not receive compensation, subsistence allowance, mileage or associated expenses from the state for attending a meeting or subcommittee meeting of the working group.

(h) The working group shall meet no fewer than two times in any given calendar year.

(i) A quorum of the working group shall be nine members, of which at least four shall be legislative members of the working group.

(j) The working group shall report to the legislature on or before March 15 of each year with recommendations for funding the KanCare bridge to a healthy Kansas

program, as necessary.

Sec. 13. If, at any point, the percentages of federal medical assistance available to the program for coverage of program participants described in section 1902(a)(10)(A)(i) (VIII) of the federal social security act are less than the percentages provided for in section 1201(b)(1)(A) through (E) of the federal health care and education reconciliation act of 2010, as it exists on the effective date of this act, the department of health and environment shall terminate the KanCare bridge to a healthy Kansas program over a 12-month period, beginning on the first day that the federal medical assistance percentages fall below such amount.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, before "concerning" by inserting "concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program;"

Also, roll call was demanded on motion of Rep. Carpenter to amend **HB 2044**, as amended by House Committee, on page 1, following line 26, by inserting:

"Sec. 2. The secretary for aging and disability services shall increase the reimbursement rate, as of July 1, 2017, by 10% for individual providers providing the following home and community based waiver services: (1) Autism; (2) frail elderly; (3) technology assistance; (4) physical disability; (5) traumatic brain injury; (6) intellectual/developmental disability; and (7) serious emotional disturbance.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare;"

On roll call, the vote was: Yeas 50; Nays 74; Present but not voting: 1; Absent or not voting: 0.

Yeas: Arnberger, Aurand, Awerkamp, Barker, Blex, Campbell, B. Carpenter, Claeys, Clark, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dove, Elliott, Ellis, Esau, Francis, Garber, Hawkins, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Karleskint, Lakin, Landwehr, Lusk, Mason, Osterman, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Eplee, Finch, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Wilson, Winn, Wolfe Moore.

Present but not voting: Whipple.

Absent or not voting: None.

The motion of Rep. Carpenter did not prevail.

Also, roll call was demanded on motion of Rep. Whitmer to amend **HB 2044**, as amended by House Committee, by amending the amendment designated fa_2017_hs2044_1250 adopted by the House Committee of the Whole on February 22, 2017, in section 2 by striking "under 65" and inserting "19 through 64"

On roll call, the vote was: Yeas 50; Nays 74; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Arnberger, Awerkamp, Barker, Blex, Campbell, B. Carpenter, Claeys, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dove, Elliott, Ellis, Esau, Finch, Francis, Garber, Hawkins, Highland, Hoffman, Houser, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Lusk, Markley, Mason, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, Clark, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Eplee, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusker, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Huebert.

The motion of Rep. Whitmer did not prevail.

Also, roll call was demanded on motion of Rep. Lakin to amend **HB 2044**, as amended by House Committee, on page 1, following line 26, by inserting:

"Sec. 2. The secretary for aging and disability services shall increase the reimbursement rate, as of July 1, 2017, for state medicaid services provided at long-term care facilities by 10%.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare;"

On roll call, the vote was: Yeas 56; Nays 68; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arnberger, Aurand, Awerkamp, Ballard, Barker, Blex, Campbell, B. Carpenter, Claeys, Clark, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dove, Elliott, Ellis, Esau, Finch, Garber, Hawkins, Highland, Hoffman, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Lakin, Landwehr, Lusk, Mason, Mastroni, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams.

Nays: Alcalá, Alford, Baker, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Eplee, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Huebert.

The motion of Rep. Lakin did not prevail.

Also, roll call was demanded on motion of Rep. Landwehr to amend **HB 2044**, as amended by House Committee, on page 1, following line 26, by inserting:

"Sec. 2. The secretary for aging and disability services shall expend all moneys necessary to provide services to all individuals on the waiting list, as of July 1, 2017, for services under the home and community based services intellectual/developmentally disabled program under the state program for medical assistance.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare;"

On roll call, the vote was: Yeas 48; Nays 74; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Barker, Blex, Burroughs, Campbell, B. Carpenter, Claeys, Clark, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Garber, Hawkins, Highland, Hoffman, Houser, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whipple, Whitmer, K. Williams.

Nays: Alcalá, Baker, Ballard, Becker, Bishop, Brim, Carlin, Carmichael, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Cox, Huebert, Lusk.

The motion of Rep. Landwehr did not prevail.

Also, on motion of Rep. Weber to amend **HB 2044**, Rep. Whipple requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Weber to amend **HB 2044**, as amended by House Committee, on page 1, following line 26, by inserting:

"Sec. 2. Notwithstanding any other provision of law to the contrary, no state moneys or matching federal moneys allocated for state medicaid services under the Kansas program of medical assistance shall be expended for reimbursement to any non-public entity provider that provides family planning services but does not provide comprehensive primary and preventative care services.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare; relating to the Kansas program of medical assistance; expenditure of moneys;"

On roll call, the vote was: Yeas 49; Nays 72; Present but not voting: 0; Absent or not voting: 4.

Yeas: Arnberger, Awerkamp, Barker, Becker, Blex, Brim, B. Carpenter, Clark, Corbet, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Esau, Finch, Garber, Good, Hawkins, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, Johnson, K.

Jones, Karleskint, Lakin, Landwehr, Mason, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Aurand, Baker, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Ellis, Eplee, Finney, Francis, Frownfelter, Gallagher, Gartner, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Judd-Jenkins, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Campbell, Claeys, Cox, Schroeder.

The motion of Rep. Weber did not prevail.

Also, roll call was demanded on motion to recommend **HB 2044** favorably for passage.

On roll call, the vote was: Yeas 83; Nays 40; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Barker, Blex, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Francis, Garber, Hawkins, Highland, Hoffman, Houser, Humphries, Jacobs, K. Jones, Landwehr, Mason, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schwab, Smith, E., Sutton, Tarwater, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Huebert, Johnson.

The motion prevailed and the bill be passed as amended.

Committee report to **HB 2302** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2272** be adopted; and the substitute bill be passed.

Committee report to **HB 2187** be adopted.

Also on motion of Rep. Gallagher, **HB 2187** be amended as amended by House Committee, on page 1, in line 14, after "convicted" by inserting "of a felony"; in line 29, by striking the second "or"; in line 31, by striking "21-5812"; in line 32, by striking the first "and"; in line 33, after the semicolon, by inserting: "or

(E) has been convicted of any act that is described in K.S.A. 21-3718 or 21-3719, prior to their repeal, or K.S.A. 2016 Supp. 21-5812, and amendments thereto, or similar statutes of any other state or the federal government;" and the bill be passed as amended.

MESSAGES FROM THE SENATE

Announcing passage of **SB 25, SB 26, SB 32, SB 36, SB 50, SB 51, SB 52, SB 56, SB 60, SB 65, SB 66, SB 67, SB 75, SB 87, SB 92, SB 110, SB 126, SB 144, and Substitute for SB 74**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 25, SB 26, SB 32, SB 36, SB 50, SB 51, SB 52, SB 56, SB 60, SB 65, SB 66, SB 67, Substitute for SB 74, SB 75, SB 87, SB 92, SB 110, SB 126, SB 144

On motion of Rep. Hineman, the House recessed until 7:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Aurand in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Aurand, Committee of the Whole report, as follows, was adopted:

HB 2278, HB 2129, HB 2076 be passed.

HB 2233 be passed over and retain a place on the calendar.

Committee report to **HB 2320** be adopted; and the bill be passed as amended.

Committee report to **HB 2040** be adopted.

Also, on motion of Rep. Proehl to refer **HB 2040** to Committee on Judiciary the motion prevailed.

Committee report to **HB 2148** be adopted; and the bill be passed as amended.

Committee report to **HB 2203** be adopted; and the bill be passed as amended.

MESSAGES FROM THE SENATE

Announcing the Senate here with transmits certificate of action by the Senate on **HB 2178, AN ACT** concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-

32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **HB 2178**, the bill be passed. By a vote of 24 Yeas and 16 Nays, the motion not having receive the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill did not pass and the veto was sustained.

CERTIFICATE

In accordance with KSA 45-304, it is certified that **House Bill 2178**, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269 was not approved by the Governor on February 22, 2017, was returned by him with his objections. The bill was approved on February 22, 2017 by two-thirds of the members elected to the House of Representatives notwithstanding the objections of the Governor; was reconsidered by the Senate but failed to be approved on February 22, 2017 by two-thirds of the members elected to the Senate as required by the Constitution and laws of the State of Kansas.

This certificate is made this 22nd day of February 2017 by the Secretary of the Senate and the President of the Senate.

REPORT ON ENGROSSED BILLS

HB 2070, **HB 2153**, **HB 2186**, **HB 2268**, **HB 2333** reported correctly engrossed February 21, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6009, **HR 6010**, **HR 6011**, **HR 6013** reported correctly enrolled and properly signed on February 22, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, February 23, 2017.

Journal of the House

THIRTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, February 23, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 125 members present.
Excused later: Rep. Pittman

Prayer by guest chaplain, the Reverend Jason Carle, Overland Park Presbyterian Church, and guest of Rep. Ousley:

Lord,
You made the land Kansas is in:
a place of hills, wildflowers,
wind, plains and big sky.
We are here as your people, shaped by the land,
shaped by our communities:
small towns and farming communities,
suburbs and cities.
We ask for your blessing on those gathered here
as they seek to craft laws and enact policies
that bring good governance for this part of your creation.
But we confess that we are a stiff-necked people,
O God, eager to be right rather than righteous.
Help us to bend our necks to the needs of our people.
May the work and deliberations this day
be shaped by your values:
humility before You and each other,
a deep passion for justice,
and care for the vulnerable, the orphan, the lost.
Amen.

The Pledge of Allegiance was led by Rep. Kessinger.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. HCR 5011—

By Representatives Parker, Bishop, Brim, Carlin, Clayton, Crum, S., Curtis, Deere, Finney, Gallagher, Gartner, Good, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Pittman, Rooker, Stogsdill, Terrell, Trimmer, Whipple and Wolfe Moore

HCR 5011 – A PROPOSITION to revise article 10 of the constitution of the state of Kansas; relating to reapportionment of congressional districts, legislative districts and state board of education member districts.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Article 10 of the constitution of the state of Kansas is hereby revised to read as follows:

**"Article 10.—APPORTIONMENT OF CONGRESSIONAL,
LEGISLATIVE AND STATE BOARD OF EDUCATION MEMBER
DISTRICTS**

"§ 1. Reapportionment of districts required. At its regular session in 2022, and at its regular session every 10th year thereafter, the legislature shall by law reapportion the United States congressional districts, the state senatorial districts, the state representative districts and the state board of education member districts as provided by this article. Reapportionment of such districts shall be on the basis of the population of the state as established by the most recent census of population taken and published by the United States bureau of the census. Senatorial, representative and state board of education member districts shall be reapportioned upon the basis of the population of the state adjusted: (a) To exclude nonresident military personnel stationed within the state and nonresident students attending colleges and universities within the state; and (b) to include military personnel stationed within the state who are residents of the state and students attending colleges and universities within the state who are residents of the state in the district of their permanent residence.

"§ 4. Establishment of redistricting commission. (a) Not later than February 15 of each year ending in one, a redistricting commission shall be established to recommend to the legislature redistricting plans for United States congressional districts, state representative districts, state senatorial districts and state board of education member districts.

- (b) The redistricting commission shall consist of the following members:
 - (1) One shall be appointed by the majority leader of the senate;

(2) one shall be appointed by the majority leader of the house of representatives;

(3) one shall be appointed by the minority leader of the senate;

(4) one shall be appointed by the minority leader of the house of representatives; and

(5) within 30 days after the appointments described in paragraphs (1) through (4) have been made, but not later than March 15 of the year in which the commission is established, the four commission members so appointed shall select, by a vote of at least three members, the fifth commission member, who shall serve as chairperson.

(c) Any vacancy in the membership of the redistricting commission shall be filled in the same manner as the original appointment or selection.

(d) No person, while a member of the commission, shall:

(1) Hold any federal, state or local office; or

(2) be an employee of the Kansas legislature, state board of education or United States congress.

(e) No person who has been a member of the redistricting commission shall be eligible, within two years after being a member of the commission, to:

(1) Be a member or employee of the Kansas legislature or state board of education; or

(2) hold any appointive state or federal office.

(f) The legislature shall provide by law for payment of compensation and expenses of members of the redistricting commission and for adequate staff, office space, equipment and materials for the commission.

(g) The terms of members of the redistricting commission shall expire on July 1 of each year ending in two, and the commission shall be inactive until reestablishment of the commission pursuant to this section.

"§ 5. Commission procedure and recommendations. (a) The redistricting commission shall establish rules and procedures as necessary to carry out the commission's functions. The rules and procedures shall include rules requiring formal submission to the commission of all communications with commission members. Ex parte communications with members of the commission in relation to the merits of matters before the commission shall be prohibited. Members of the commission shall report any violations of this prohibition to the attorney general and the legislature shall provide by law criminal penalties for such violations.

(b) The redistricting commission shall conduct public hearings throughout the state, including at least one public hearing in each state board of education member district.

(c) In recommending redistricting plans, the redistricting commission shall consider only the requirements of the constitution of the state of Kansas and the constitution of the United States, preservation of political subdivisions and preservation of communities of interest. The commission shall avoid placing more than one incumbent in a district except when necessary due to changes in the population of the state. Except as expressly provided in this subsection, the commission shall not intentionally develop redistricting plans that favor or discriminate against any individual, political party or group.

"§ 6. Legislative action; court review and action. (a) On or before the first day of the regular legislative session in each year ending in two, the redistricting commission shall introduce in the house of representatives a bill reapportioning the state representative districts and a bill reapportioning the United States congressional districts, and shall introduce in the senate a bill reapportioning the state senatorial districts and a bill reapportioning the state board of education member districts. The bills shall not be subject to amendment by either chamber of the legislature and each such bill shall be acted upon by each chamber within seven days after the bill is introduced in the chamber.

(b) If a bill introduced pursuant to subsection (a) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (a) is invalid, the redistricting commission, within 10 days after entry of the judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). The bill shall not be subject to amendment by either chamber and shall be acted upon by each chamber within seven days after the bill is introduced in the chamber.

(c) If a bill introduced pursuant to subsection (b) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (b) is invalid, the redistricting commission, within 10 days after entry of the judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). The bill shall be subject to amendment by either chamber and shall be acted upon by each chamber within 14 days after the bill is introduced in such chamber. When a bill is introduced pursuant to this subsection, the commission shall make the commission's staff and technical resources available to the legislature for use in preparation and consideration of amendments to the bill.

(d) If either chamber of the legislature rejects a bill introduced pursuant to this section, or the governor vetoes the bill, the chamber that rejects the bill, or the governor in the case of a veto, shall transmit to the commission a letter stating the reasons why the bill was not enacted, and the commission shall take such reasons into consideration in introducing a bill pursuant to this section, subject to the requirements of section 6(c). Any such letter shall be signed by both the speaker of the house of representatives and the minority leader of the house of representatives or both the president of the senate and the minority leader of the senate.

(e) Reapportionment bills shall be published in the Kansas register immediately upon final passage and approval by the governor. The districts enacted shall be effective for the next following regular election of legislators and thereafter until again the districts are reapportioned, except that the

senatorial districts shall be effective for the next following regular election at which all senators are elected.

(f) Within 15 days after publication of any reapportionment bills enacted pursuant to this article, the attorney general shall petition the Kansas supreme court to determine the validity of the bill. The Kansas supreme court, in accordance with its rules, shall permit interested persons to present their views. Within 30 days after the filing of the petition, the Kansas supreme court shall enter its judgment. A judgment of the Kansas supreme court determining the bill to be valid shall be final until reapportionment of the districts is again required by this article.

"§ 7. Implementing legislation. The legislature may enact legislation, not in conflict with the provisions of this article, as reasonably necessary to implement such provisions."

Sec. 2. The following statement shall be printed on the ballot with the amendment as a whole:

"Explanatory statement. Current article 10 of the constitution of the state of Kansas governs reapportionment of state legislative districts. It provides for reapportionment by the legislature and requires that it be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities. The revision of article 10 would govern reapportionment of the United States congressional districts, state legislative districts and the state board of education member districts. Under the revision, a redistricting commission would be established to recommend redistricting plans to the legislature. The legislature would enact a plan which would be subject to review by the Kansas supreme court. There would be strict deadlines for legislative action. Reapportionment of congressional districts, state legislative districts and state board of education member districts would be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities.

"A vote for this proposition would change the procedure for reapportionment of United States congressional, state legislative and state board of education member districts.

"A vote against this proposition would continue the current procedures and basis for reapportionment."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives, and two-thirds of the members elected (or appointed) and qualified to the Senate shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2018 unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **SB 25, SB 60.**

Children and Seniors: **SB 126.**

Education: **SB 75.**

Elections: **SB 56.**

Financial Institutions and Pensions: **SB 65, SB 66, SB 67, SB 87.**

Health and Human Services: **SB 32, SB 51, SB 52.**

Insurance: **SB 110.**

Judiciary: **SB 50, SB 92.**

Taxation: **HB 2371, HB 2372, HB 2373.**

Transportation: **SB 26, SB 36, SB 74, SB 144.**

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2168** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2040** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **Sub HB 2223** from Committee on Appropriations and rereferral to Committee on Elections.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2036, AN ACT concerning taxation; relating to certain income tax credits for graduates of aerospace and aviation-related educational programs and their employers, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 47; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Barker, Bishop, Blex, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Cox, Crum, S., E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Frownfelter, Gartner, Good, Hawkins, Helgerson, Highberger, Highland, Hodge, Hoffman, Huebert, Humphries, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lusker, Mason, Ohaebosim, Osterman, Phillips, Proehl, Rahjes, Ralph, Resman, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, E., S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Whipple, Whitmer, K. Williams, Wilson.

Nays: Aurand, Awerkamp, Brim, Burroughs, Concannon, Corbet, Curtis, Deere, Esau, Francis, Gallagher, Garber, Henderson, Hibbard, Hineman, Holscher, Houser, Jacobs, Jennings, Koesten, Kuether, Lewis, Lusk, Markley, Mastroni, Miller, Murnan, Neighbor, Orr, Ousley, Parker, F. Patton, Phelps, Pittman, R. Powell, Rafie, Rooker, Ruiz, Schwab, Sloan, Smith, A., Stogsdill, Sutton, Terrell, Wheeler, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Becker.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2036**. I believe in the principle of pay as you go, and while our rule regarding PAYGO does not technically apply to this bill, the principle and philosophy do. Legislation costing \$7.7 million we don't have is irresponsible no matter how worthy the cause. – VIC MILLER

HB 2044, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 44; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Barker, Blex, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Francis, Garber, Hawkins, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Osterman, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: We were proud to vote YES on **HB 2044**, which included an amendment to expand Medicaid. We welcome the opportunity to discuss the suggested amendments during the course of Budget debate, when full fiscal notes are available to us regarding the financial impact of said suggested amendments. To pass the amendments without fiscal notes would not be looking after the states finances in a responsible manner. – STEPHANIE CLAYTON, LARRY HIBBARD, JOY KOESTEN, ANITA JUDD-JENKINS, SHELEE BRIM, TOM SLOAN, BRENDA DIETRICH, SUSIE SWANSON, DAVE BAKER, MARY MARTHA GOOD, DIANA DIERKS, GREG LEWIS, LONNIE CLARK, LINDA GALLAGHER

MR. SPEAKER: I vote no on **HB 2044** due to the Medicaid Expansion amendment. We know that Medicaid changes are coming and the ACA will be repealed. Once this happens and expansion states are required to pay their regular FMAP, expansion will be unsustainable. It will place a financial burden on tax payers who are already under attack. The cost will exceed \$464.5 million a year and growing. I hope the body thinks through the negative consequences of this action for our state and votes no with me. – DANIEL HAWKINS, LESLIE OSTERMAN, CHUCK WEBER, LES MASON, STEVE HUEBERT, KRISTEY

WILLIAMS, TREVOR JACOBS, KYLE HOFFMAN, DOUG BLEX, BRENDA LANDWEHR, ERIC L. SMITH, ABRAHAM RAFIE, FRANCIS AWERKAMP, LEO DELPERDANG, JOHN BARKER, RON HIGHLAND, RANDY POWELL

MR. SPEAKER: As offered in my testimony yesterday on **HB 2044**, there are thousands of hardworking Kansans that deserve access to healthcare even while considering the important issues of cost and overarching philosophy. I believe that **HB 2044** responsibly provides that coverage for those Kansans in a way that can be budget neutral. I vote YES. – JOHN EPLEE, ELIZABETH BISHOP

MR. SPEAKER: While ObamaCare is on the verge of repeal by the US Congress and the President of the United States, this bill goes the other direction by expanding Medicaid to include able-bodied adults, forcing around 30,000 off their private plan and onto government assistance, and crowding out the disabled who are already on a waiting list. Expanding Medicaid is also estimated to add an additional \$1.2 billion price tag over the next ten years to our State budget, something we simply can't afford. We support better ways to deliver healthcare to the poor and needy. Mr. Speaker, I vote no on **HB 2044**. – JOHN WHITMER, PETE DEGRAAF, BILL SUTTON, SEAN TARWATER, KEITH ESAU, WILLIE DOVE, RONALD ELLIS, KEVIN JONES, SUSAN HUMPHRIES, BLAKE CARPENTER, RANDY GARBER

MR. SPEAKER: I am proud to have voted YES on **HB 2044**, which includes an amendment to expand Medicaid. I also welcome the opportunity to discuss and consider the many amendments that were suggested during discussion of the bill, when full fiscal notes are available to us regarding the financial impact of said suggested amendments. I voted not to pass the amendments without fiscal notes as that would not be looking after the state's finances in a responsible manner. – JAN KESSINGER

HB 2066, AN ACT concerning use of state highway right-of-way; relating to reimbursement for certain relocation costs; public wholesale water supply districts; amending K.S.A. 68-415 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Delperdang, Helgerson.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2076, AN ACT concerning motor vehicles; relating to the use of safety belts; establishing the seat belt safety fund; amending K.S.A. 2016 Supp. 8-2504, 12-4120 and 74-7336 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 32; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Claeys, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Delperdang, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Humphries, Jacobs, Jennings, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Resman, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Aurand, Awerkamp, Blex, Carmichael, B. Carpenter, Clark, Corbet, E. Davis, DeGraaf, Dierks, Dove, Esau, Garber, Hawkins, Hoffman, Huebert, Johnson, K. Jones, Landwehr, Osterman, R. Powell, Rahjes, Ryckman, Schwab, Seiwert, Smith, A., Sutton, Thimesch, Vickrey, Weber, C., Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2080, AN ACT concerning rural water districts; relating to reinstatement of forfeited benefit units; amending K.S.A. 82a-621 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 13; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Barker, B. Carpenter, Corbet, Garber, Highland, Jacobs, K. Jones,

Landwehr, Lusk, Mason, Osterman, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2095, AN ACT concerning the uniform act regulating traffic; relating to gross weight limits of certain vehicles, special permits; amending K.S.A. 2016 Supp. 8-1908 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 48; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., S. Swanson, Tarwater, Thimesch, Thompson, Waymaster, Weber, C., Wheeler, K. Williams.

Nays: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Crum, S., Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Jacobs, Koesten, Kuether, Landwehr, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Pittman, Rooker, Ruiz, Sawyer, Stogsdill, Sutton, Terrell, Trimmer, Vickrey, Victors, Ward, Weigel, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2106, AN ACT concerning treatment facilities; relating to license renewal; amending K.S.A. 2016 Supp. 65-4014 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2129, AN ACT concerning the department of administration; relating to energy audits; requirements; amending K.S.A. 2016 Supp. 75-37,128 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgeson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Kuether.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2148, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the autism awareness license plate; the Kansas 4-H foundation license plate, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgeson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, DeGraaf, Esau, Garber, K. Jones.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2160, AN ACT concerning the individual development account program act; relating to certain expenditures by individuals who were likely to age out of foster care; amending K.S.A. 2016 Supp. 74-50,202, 74-50,204, 74-50,205 and 74-50,206 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2187, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or volunteering therein; background checks; amending K.S.A. 2016 Supp. 65-516 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson,

Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2197, AN ACT concerning criminal procedure; relating to trials; trial jurors; amending K.S.A. 22-3408 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2203, AN ACT designating a portion of United States highway 75 as the Eldon K Miller memorial highway; amending K.S.A. 2016 Supp. 68-1051 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson,

Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2210, AN ACT repealing K.S.A. 2016 Supp. 25-2711; dealing with cities and counties and regulation of temporary signs, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 25; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Arnberger, Aurand, Awerkamp, Barker, B. Carpenter, Claeys, Corbet, Cox, DeGraaf, Delperdang, Esau, Finney, Garber, Hawkins, Henderson, Hoffman, Huebert, Landwehr, Ohaebosim, R. Powell, Rahjes, Vickrey, Weber, C., Whitmer, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2260, AN ACT concerning crimes, punishment and criminal procedure; relating to conditions of probation; revocation; amending K.S.A. 2016 Supp. 22-3716 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

Sub HB 2272, AN ACT concerning water; creating the Kansas water authority science and research subcommittee, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 48; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Dierks, Dietrich, Elliott, Ellis, Finch, Finney, Francis, Good, Helgerson, Hibbard, Highberger, Hineman, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Ohaebosim, Orr, Parker, F. Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Sawyer, Schroeder, Schwab, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson.

Nays: Alcalá, Awerkamp, Barker, Burroughs, Carmichael, B. Carpenter, Corbet, Deere, DeGraaf, Delperdang, Dove, Eplee, Esau, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Henderson, Highland, Hodge, Houser, Jacobs, K. Jones, Kessinger, Koesten, Kuether, Landwehr, Mason, Miller, Neighbor, Osterman, Ousley, Phelps, Pittman, R. Powell, Rooker, Ruiz, Schreiber, Seiwert, Smith, A., Smith, E., Sutton, Vickrey, Weber, C., Whitmer, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

HB 2278, AN ACT concerning certain cemetery districts and the deannexation of territory located within a city, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2302, AN ACT concerning animals; relating to the custody and disposition of cruelly treated animals; amending K.S.A. 2016 Supp. 21-6412 and 21-6414 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Rahjes.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2302** as I am unsure of the true purpose and need of this legislation. I am not in favor of cruelty to animals or dog fighting, but I am suspicious of this bill because the primary proponent is an organization known for promoting causes critical of and harmful to animal agriculture. — KEN RAHJES

HB 2312, AN ACT concerning agriculture; relating to administrative procedure; division of water resources; fertilizer; amending K.S.A. 2016 Supp. 2-1201b, 2-1201c, 2-1208a, 82a-737 and 82a-1901 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 82a-1902, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni,

Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, Highland, Landwehr, Schwab.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2320, AN ACT concerning criminal procedure; relating to warrants; disclosure; amending K.S.A. 2016 Supp. 22-2302 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2118** be passed.

HB 2010 be passed over and retain a place on the calendar.

Committee report to **HB 2174** be adopted; and the bill be passed as amended.

Committee report to **HB 2217** be adopted; and the bill be passed as amended.

Committee report to **HB 2205** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2207** be adopted.

Also, on motion of Rep. Clark to re-refer **Sub HB 2207** to Committee on Agriculture, the motion prevailed.

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 32, by Representative Victors commending Enrique and Mary Cortez for 32 years of running Cortez Mexican restaurant and for contributing to the community;

Request No. 33, by Representative Koesten, congratulating Emma Cosner for earning the 2017 Girl Scout Gold Award;

Request No. 34, by Representative Koesten, congratulating Anna Cosner for earning the 2017 Girl Scout Gold Award;

Request No. 35, by Representative Highland, congratulating Rossville High School Bulldawgs Football Team for winning the 2015 Kansas 3A State Championship;

Request No. 36, by Representative Finney, commending Alpha Omega Community Service Letter Organization for encouraging high school & collegiate youth in mentoring, giving back to their communities and helping to build future leaders;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Rep. Jacobs requested to change his vote on **HB 2076** to Aye. Without objection his vote was changed.

On motion of Rep. Hineman, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 30**, requests a conference and has appointed Senators Tyson, Kerschen and Holland as conferees on the part of the Senate.

Announcing passage of **Sub. SB 8; SB 40, SB 42, SB 46, SB 47, SB 48, SB 57, SB 61, SB 62, SB 63, SB 68, SB 78, SB 88, SB 89, SB 93, SB 100, SB 101, SB 112, SB 114, SB 120, SB 124, SB 136, SB 149, SB 154, SB 166, and SB 181.**

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

Sub SB 8, SB 40, SB 42, SB 46, SB 47, SB 48, SB 57, SB 61, SB 62, SB 63, SB 68, SB 78, SB 88, SB 89, SB 93, SB 100, SB 101, SB 112, SB 114, SB 120, SB 124, SB 136, SB 149, SB 154, SB 166, SB 181.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2219, HB 2329** be passed.

Committee report to **HB 2240** be adopted.

Also, on motion of Rep. Finch, **HB 2240** be amended, as amended by House Committee, on page 3, in line 7, after "thereto" by inserting ", or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto"; and the bill be passed as amended.

Committee report to **HB 2107** be adopted.

Also, on motion of Rep. Lakin to amend **HB 2107**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2262** be adopted; and the bill be passed as amended.

Committee report to **HB 2304** be adopted; and the bill be passed as amended.

Committee report to **HB 2256** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub HB 2257** be adopted.

Also, on motion of Rep. Osterman, **Sub HB 2257** be amended on page 1, in line 18, by striking "or" and inserting a comma; also in line 18, after the fourth "cross" by inserting ", army of occupation medal or navy occupation service medal"; the substitute bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **HB 2118, HB 2174, HB 2217, HB 2205, HB 2240, HB 2219, HB 2107, HB 2262, HB 2329, HB 2304, HB 2256** and **Sub HB 2257** were advanced to Final Action on Bills and Current Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2118, AN ACT concerning health care providers; relating to the health care provider insurance availability act; liability exceptions; provider exemptions; inactive provider coverage limits; inactive licensure of advanced practice registered nurses; amending K.S.A. 2016 Supp. 40-3401, 40-3408, 40-3424 and 65-1131 and repealing

the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed.

HB 2174, AN ACT concerning veterans; relating to license plate decals for certain military veterans with disabilities; amending K.S.A. 8-1,126 and K.S.A. 2016 Supp. 8-1,146 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2217, AN ACT concerning emergency opioid antagonists; relating to standards governing the use and administration thereof; education requirements; civil and

criminal liability, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2205, AN ACT concerning vaccinations for meningitis, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 20; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Aurand, Averkamp, B. Carpenter, DeGraaf, Esau, Garber, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Landwehr, Mason, R. Powell, Rafie, Sutton, Vickrey, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2240, AN ACT concerning the care and treatment of certain persons; enacting the crisis intervention act; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2016 Supp. 39-2001, 39-2002, 39-2003, 59-2978 and 59-29b78 and repealing

the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2219, AN ACT relating to diabetes information reporting, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, DeGraaf, Garber, Jacobs, K. Jones, R. Powell, Sutton.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: **HB 2219** continues to put our state further into debt. My heart tells me to vote "Yes" but my head says "No." I cannot in good conscience support this

legislation because of the fiscal note that accompanies it. Mr. Speaker, I vote “NO” on **HB 2219**. – RANDY GARBER

HB 2107, AN ACT concerning public health; relating to the pharmacy act of the state of Kansas; pertaining to biological products; amending K.S.A. 65-669, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1637, 65-1637b, 65-1643, 65-2837a and 65-4202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Garber, Good, Houser, Koesten, Lakin, Schreiber, Schroeder, Vickrey, Wheeler.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2262, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from jurisdictions located outside the state of Kansas; amending K.S.A. 2016 Supp. 48-3602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple,

Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

HB 2329, AN ACT concerning employment security law; relating to the effect of separation pay on benefits; amending K.S.A. 2016 Supp. 44-704 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed.

HB 2304, AN ACT concerning child care facilities; relating to infant sleeping equipment and sleeping areas; amending K.S.A. 2016 Supp. 65-508 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams,

Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Esau, Garber, Jacobs, R. Powell.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I can understand and empathize with the intent of **HB 2304**, but I cannot support it. I know first-hand how devastating it is to families who lose a child or grandchild unexpectedly. But where does this type of legislation end. Will it be when all childcare facilities are government run? We are telling private childcare providers how to run their business. This is government forcing its will on its citizenry. It is my opinion these decisions should be between the parent and the childcare provider. Mr. Speaker, I vote no on **HB 2304**. – RANDY GARBER, KEITH ESAU

HB 2256, AN ACT concerning elections; dealing with the crime of electioneering; amending K.S.A. 2016 Supp. 25-2430 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 52; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Burroughs, Campbell, B. Carpenter, Claeys, Corbet, Cox, E. Davis, Deere, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Gallagher, Good, Hawkins, Helgerson, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Lakin, Landwehr, Lewis, Markley, Mason, Miller, Neighbor, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Resman, Ryckman, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Nays: Alcalá, Alford, Ballard, Bishop, Brim, Carlin, Carmichael, Clark, Clayton, Concannon, Crum, S., Curtis, Dierks, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Henderson, Hibbard, Highberger, Hodge, Holscher, Jennings, Kessinger, Koesten, Kuether, Lusk, Lusker, Mastroni, Murnan, Ohaebosim, Ousley, Parker, Phelps, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Seiwert, Stogsdill, Terrell, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Pittman.

The bill passed, as amended.

Sub HB 2257, AN ACT concerning motor vehicles; relating to decals for certain military medals or badges; armed services occupation medal; amending K.S.A. 2016 Supp. 8-1,156 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

The substitute bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2370** be passed.

Committee on **Taxation** recommends **HB 2315** be amended on page 21, in line 38, by striking "2017" and inserting "2016"; and the bill be reported without recommendation.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2374, AN ACT concerning education; relating to the tax credit for low income students scholarship program act; relating to certain eligible students; amending K.S.A. 2016 Supp. 72-99a02, 72-99a03, 72-99a04, 72-99a07 and 79-32,117 and repealing the existing sections, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2168** from Committee on Appropriations and referral to Committee on Taxation.

Also, the withdrawal of **HB 2033**, **HB 2086**, **HB 2271** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2152** from Committee on Health and Human Services and referral to Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 30**.

Speaker Ryckman thereupon appointed Reps. Johnson, Phillips and Sawyer as conferees on the part of the House.

MESSAGES FROM THE SENATE

Announcing adoption of **SCR 1606**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **SCR 1606**, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2017 regular session of the legislature, was adopted.

REPORT ON ENGROSSED BILLS

HB 2036, HB 2044, HB 2095, HB 2106, HB 2187, HB 2210, HB 2302 reported correctly engrossed February 22, 2017.

HB 2148, HB 2174, HB 2203, HB 2205, HB 2217, HB 2320 reported correctly engrossed February 23, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, March 6, 2017.

BILLS STRICKEN FROM CALENDAR

In accordance with House Rule 1507, the following bills were stricken from the calendar for February 23, 2017: **HB 2010, HB 2011, HB 2099, HB 2100, HB 2233**.

Journal of the House

THIRTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 6, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Houser, Kuether, Pittman and Sawyer were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God in Heaven,
Thank you for this new day – new week
after a brief break which was so needed and appreciated.
You have called these leaders to serve,
to live peacefully and to act justly.
Give to them today the wisdom,
vision and resilience they need as they make decisions.
Give them a spirit of harmony and unity.
Help all of us to remember that our hope comes from You.
Your Word says we are blessed if we trust in You,
and You bestow favor and honor on us
if we walk blameless before You.
Show our leaders the way they should take
in all the choices that come before them today.
Lord, we also pause today to remember the family of Srinivas Kuchibhotla
who was tragically killed in Olathe.
Bring strength and comfort to them and
help them realize and know
that we are a people who truly desire to love all others
as you love all.
This I pray in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Ousley.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Highland are spread upon the Journal:

I am honored to bring before you today the faculty and students representing the Rossville Bulldawg football team. As a body, we honored them in 2015 for becoming the State 3A Champions in Kansas. We are here today to honor them once again for becoming the State 3A Champions for the third straight year. It is a great achievement and we look forward to another.

Rep. Highland introduced: Head Coach, Derick Hammes; Assistant Coach, Dan Schneider; Assistant Coach, Jeremy Stephenson; Assistant Coach, Todd Reeves; Assistant Coach, Eammon Bradley; Assistant Principal/Athletic Director, Curt Brecheisen and Principal, Toby McCullough to the members of the House.

Also recognized were Superintendent Kerry Lacock, who was unable to attend, and members of the Bulldawg team sitting in the gallery. Rep. Highland presented Coach Hammes with two framed House certificates, recognizing their 2015 and 2016 State 3-A championship football teams.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2375, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of commerce, by Committee on Appropriations.

HB 2376, AN ACT concerning property taxation; relating to cities and counties, approval of budgets, notice and election requirements; amending K.S.A. 2016 Supp. 79-2925c and repealing the existing section, by Committee on Taxation.

HB 2377, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, modifications; amending K.S.A. 2016 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2378, AN ACT concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **SB 47, SB 61.**

Corrections and Juvenile Justice: **SB 42.**

Education: **SB 100, SB 166.**

Elections: **HCR 5011, SB 8, SB 57, SB 78.**

Health and Human Services: **SB 68, SB 154.**

Judiciary: **SB 40, SB 62, SB 63, SB 93, SB 101, SB 112, SB 114, SB 120, SB 124, SB 136, SB 149.**

K-12 Education Budget: **HB 2374**.

Transportation: **SB 88, SB 89, SB 181**.

Water and Environment: **SB 46, SB 48**.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Kuether on Committee on House Judiciary on March 6, 2017.

Also, the appointment of Rep. Ward to replace Rep. Kuether on Committee on Corrections and Juvenile Justice on March 6, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, March 7, 2017.

Journal of the House

THIRTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 7, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 119 members present.

Rep. Kuether was excused on verified illness.

Reps. Alcalá, Houser, Parker, Schwab and Winn were excused on excused absence by the Speaker.

Prayer by Rep. Phelps:

Heavenly Father, we pause this Tuesday morning for reflection. So often as humans we seem to lose our way and wonder, "How did we get here?" We put our faith in maps and guides and think that if we just find the right one, all our problems will go away. Help us to remember that even as we despair, others are on much darker paths and need our help more than ever. Grant us the ability to recognize that our own differences are minor compared to the real challenges faced by the people we represent. Renew in us our charge: to help those less fortunate live out the same prairie optimism that exists for all Kansans. Whether that is road, schools or maps, please help us complete our work.

In your most holy and precious name we pray, Amen.

The Pledge of Allegiance was led by Rep. Gallagher.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Eplee are spread upon the Journal:

After falling one point short of a state championship in 2015, the Troy High School Football Team was able to capture the school's first ever football state title in 2016. The Trojans defeated the Plainville Cardinals 28-24 in a very exciting game on November 26, 2016, in Hays, Kansas. It was a perfect season for Troy as they finished with a record of 13-0. The 2016 Trojan Football Team was led by a strong Senior Class of 13 individuals who are not only outstanding athletes but amazing young men off the field, three of whom I delivered. Please join me in recognizing and congratulating these young men and their coaches.

Rep. Eplee introduced Head Coach Derek Jasper; Assistant Coach Don Cash (who coached Derek); the senior members of the Troy High School Trojans and the underclassmen in the gallery to the members of the House. He presented the coaches with framed House certificates.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Kessinger are spread upon the Journal:

Today we celebrate the 30th birthday of the Kansas Lottery.

In 1986, Kansas voters approved an amendment to the Kansas Constitution to establish a state lottery. The 1987 Kansas Legislature and Governor Mike Hayden established the Kansas Lottery Act.

The 2006 Kansas Legislature and Governor Kathleen Sebelius established the Kansas Expanded Lottery Act.

Transfers from the Traditional Lottery provide support for the Economic Development Initiatives Fund (EDIF), veterans' programs, prison construction, juvenile detention facilities construction, Problem Gambling Addictions Grant Fund, and the State General Fund

Since selling the first ticket November 12, 1987...

- The Lottery has sold more than \$5.4 billion worth of lottery products.
- Lottery players have won nearly \$3.0 billion in prizes
- Kansas Lottery retailers have earned \$309 million in commissions and bonuses.
- The Lottery has transferred more than \$1.6 billion to the State of Kansas.

Expanded Lottery oversees four gaming zones and pari-mutuel racing. That includes contracting with casino managers to oversee the day-to-day operations of the four state casinos.

Transfers from the Expanded Lottery provide support to pay off state debt; state infrastructure improvements, the University Engineering Initiative and KPERS Actuarial Liability. 2% also goes to the Problem Gaming and Addictions Grant Fund and 3% to local governments.

Cumulative Casino Revenue Fund Transfers since 2009 include:

- More than \$420 million to the state
- More than \$38 million to the Problem Gambling and Addictions Grant Fund
- More than \$57 million to City and County Recipients

The Kansas Lottery is a leader in innovation.

- Kansas was a founding member of the Multi-State Lottery Association and the Lotto America game, which later became Powerball.
- The Kansas Lottery launched eScratch, the first interactive Internet lottery game of its kind in the world.
- The Kansas Lottery was the first in the world to offer the Electronic Game Card, an electronic version of an instant scratch ticket.
- The Kansas Lottery developed a series of "Made in Kansas" instant games featuring Kansas events and Kansas companies.
- The Kansas Lottery was the first lottery to partner with the Kansas City Chiefs on an instant scratch game and the first state lottery in the country to partner with a professional soccer team for an instant ticket.

- A Kansas resident from Franklin County claimed one third of a \$656 million Mega Millions jackpot, the largest Mega Millions jackpot to date.
- Since the beginning, the Kansas Lottery has created 92 millionaires.
- The Kansas Lottery set new records in Fiscal Year 2016, selling more than \$272 million in Lottery products and transferring \$78.2 million to the State of Kansas.

And today, we celebrate 30 years of the Lottery and all the contributions it has made to our state.

Rep. Kessinger introduced the following officials to the members of the House: Lottery Executive Director Terry Presta; Lottery Public Affairs Director, Sally Lunsford; Employees who joined the Lottery during its first year: Mike Todd, Pollie Unruh, Lori Koepsel, Ginger Tillman, Glenda Fletcher, Greg Coleman and Kevin Raine; Lottery Commissioners: Jim Washington and Alana Roethle; the Lottery's first Executive Director, Larry Montgomery and his wife Gwen; Linda Stomboly, of Cosentino's Food Stores, representing the Lottery's more than 1,735 lottery retailers; Ryan Hogue and Eric Peterson, Kansas Speedway, representing The Lottery's marketing partners and Dan Ihm, Kansas Star Casino and Resort, representing the Lottery's casino managers.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2375**.

Taxation: **HB 2376, HB 2377, HB 2378**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **SB 15** from Committee on Health and Human Services and rereferral to Committee on Insurance.

Also, the withdrawal of **SB 46, SB 48** from Committee on Water and Environment and referral to Committee on Agriculture.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Phillips, **HR 6015**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6015

By Representative Phillips

HR 6015—A RESOLUTION recognizing the Boys and Girls Clubs across Kansas for the outstanding services they provide for young people and their families.

WHEREAS, Boys & Girls Clubs across Kansas make valuable contributions to the young people of Kansas; and

WHEREAS, Boys & Girls Clubs provide programs and services to inspire all young people, especially those from disadvantaged backgrounds, to realize their full potential as productive, responsible and caring citizens; and

WHEREAS, Through strong, proven development programs, leaders in the Boys & Girls Clubs stress character and leadership development, education and career advancement, and health and life skills; and

WHEREAS, The programs promote better self-image, improve education, and

increase social, emotional and cultural awareness, while encouraging community involvement, strong moral values and life management skills; and

WHEREAS, Boys & Girls Clubs promote an appreciation for the arts and provide programs in sports, fitness and recreation; and

WHEREAS, The 2017 Youth of the Year contestants are as follows: Ivy Auletti, Boys & Girls Club of Manhattan; Zion Bowlin, Boys & Girls Club of Lawrence; Christopher Burrell, Boys & Girls Club of South Central Kansas; Mikayla Keeling, Boys & Girls Club of Topeka; Hannah Lamson, McConnell Air Force Base Youth Program; Evelyn Leyva, Boys & Girls Club of Hutchinson; Celeste Nicole Marchbanks, Fort Leavenworth Youth Services; and Juleonna Breann Stevenson, Boys & Girls Club of Coffeyville; and

WHEREAS, On March 6, 2017, Youth of the Year nominees from Kansas were chosen as the State and the Military Youth of the Year to represent the State of Kansas in the Boys & Girls Clubs of America's Regional Youth of the Year contest; and

WHEREAS, The Boys & Girls Clubs across Kansas have named March 7, 2017, as their annual "Day at the Capitol"; and

WHEREAS, Through the years, Boys & Girls Clubs have encouraged young people to aspire to the highest level of personal development, and to become good citizens who are involved in their communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Boys & Girls Clubs across Kansas for the outstanding services they provide for young people and their families; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Phillips.

There being no objection, the following remarks of Rep. Phillips are spread upon the Journal:

It is my pleasure to welcome today the Boys and Girls Clubs Youth of the Year candidates from Boys and Girls Clubs from across Kansas and the military bases.

Each of these individuals has demonstrated leadership, commitment to service for their clubs and communities, and a willingness to make changes to grow in their personal development to become productive citizens in their communities.

With us today are: Boys and Girls Club of Coffeyville, Juleonna Breann Stevenson; Boys and Girls Club of Lawrence, Zion Bowlin; Boys and Girls Club of Manhattan, Ivy Auletti; Boys and Girls Club of Topeka, Mikayla Keeling; Boys and Girls Club of Hutchinson, Evelyn Leyva; Boys and Girls Club of South Central Kansas (Wichita), Christopher Burrell; McConnell Air Force Base Youth Program, Hannah Lamson and from Fort Leavenworth Youth Services, Celeste Nicole Marchbanks.

We want to congratulate all of the candidates for their hard work in participating in this highly competitive event. It is our pleasure to specifically recognize Christopher Burrell representing the Kansas Traditional Clubs and Celeste Nicole Marchbanks representing the military clubs.

The winners will represent Kansas in the regional Youth of the Year contests for Boys and Girls Clubs of America. And hopefully, move onto the national competition.

Again, thank you for your hard work. And thanks to your parents and sponsors who have helped you along the way. We wish you all great success in your future endeavors.

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **SB 43** be passed.

Committee on **Taxation** recommends **HB 2228** be amended on page 4, in line 27, by striking the second "and"; in line 30, after "thereto" by inserting "; and (23) property belonging exclusively to the United States and exempted from ad valorem taxation by K.S.A. 79-201a *First*, and amendments thereto, except that the provisions of this subsection (1)(23) shall not apply to any such property that the congress of the United States has expressly declared to be subject to state and local taxation"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2379, AN ACT concerning school districts; relating to the Kansas uniform financial accounting and reporting act; requiring reporting of expenditures; amending K.S.A. 2016 Supp. 72-8254 and repealing the existing section, by Committee on Appropriations.

CLOSING PRAYER

Closing prayer by guest chaplain, the Rev. Laura Smith, pastor, Assaria Lutheran Church, and guest of Rep. Johnson:

Lord, you provide all good things for our life and health, including raising up leaders to guide your people. Thank you for giving us these representatives as leaders of our State. Their dedication, compassion, and integrity provide guidance and care in the making and executing of not only laws, but the care of the people they represent. Bless them as they carry on to serve you. Continue to equip them with strength, courage, and integrity, so that they provide justice, care, and inspire the people toward service to their neighbors and the care of the resources we all share.

Amen.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Alcalá on Committee on Taxation on March 7, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, March 8, 2017.

Journal of the House

THIRTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 8, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Reps. Kuether and Thimesch were excused on verified illness.

Reps. Brim, Deere and Houser were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Brian Hjordahl, pastor, Atonement Lutheran Church, Overland Park, and guest of Rep. Markley:

God of all, on this International Women's Day, we pray for health, safety, dignity, and equal opportunity for all women and girls throughout our state. On this 200th birthday of the New York Stock Exchange, we pray for a robust economy marked by fairness and abundance. On this 100th anniversary of the United States Senate's cloture rule, we pray for civil, healthy, and productive debate in this chamber that promotes justice and prosperity. Thank you for our public servants in this House. Grant them your wisdom and strength, that, instructed by our past, informed by our present, and inspired by a hopeful future, they may rise this day to their calling as faithful stewards of power with humility, honesty, integrity, discernment, diligence, and a consistent commitment to the well-being of all Kansans. Amen

The Pledge of Allegiance was led by Rep. Rooker.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

K-12 Education Budget: **HB 2379**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. HR 6016—

By Representatives Humphries, Blex, Brim, Crum, S., Elliott, Garber, Highland, Jacobs, Murnan, Osterman, R. Powell, Rafie, Resman, Smith, A., Smith, E., Sutton, Weber, C., Whitmer, K. Williams and Wilson

HR 6016 – A RESOLUTION recognizing that pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms.

WHEREAS, Pornography is creating a public health crisis and perpetuates a sexually toxic environment; and

WHEREAS, Efforts to prevent pornography exposure and addiction, to educate individuals and families concerning its harms and to develop recovery programs must be addressed systematically; and

WHEREAS, Due to advances in technology and the universal availability of the internet, young children are exposed to pornography at an alarming rate, with 27% of millennials, aged 25 to 30, reporting that they first viewed pornography before puberty, based on a 2016 Barna Group study; and

WHEREAS, This early exposure can lead to low self-esteem and body image disorders, an increase in problematic sexual activity at younger ages and an increased desire among adolescents to engage in risky sexual behavior; and

WHEREAS, Exposure to pornography often serves as a child's and a teen's sex education and shapes their sexual understanding, because pornography treats women and children as objects and commodities for the viewer's use. Pornography teaches girls that they are to be used and teaches boys to be users; and

WHEREAS, Pornography normalizes violence and abuse against women and children by treating women and children as objects, and often depicts rape and abuse as if they are harmless. Moreover, pornography equates violence towards women and children with sex, and equates pain with pleasure, which increases child sexual abuse and child pornography and the demand for sex trafficking and prostitution, according to a 2012 study published in The Protection Project Journal of Human Rights and Civil Society; and

WHEREAS, The potential detrimental effects on viewers of pornography can impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, as well as problematic or harmful sexual behaviors and addiction and lead to difficulty in forming or maintaining intimate relationships; and

WHEREAS, Recent research indicates that pornography is potentially biologically addictive, which means the user requires more mental stimulation, often in the form of more shocking material, in order to be satisfied. This biological addiction often leads to increasing themes of risky sexual behaviors, extreme degradation, violence and child sexual abuse images and child pornography; and

WHEREAS, Pornography use is linked to lessened desire in young men and women to marry, dissatisfaction in marriage and infidelity, which has a detrimental effect on the family unit; and

WHEREAS, Pornography has contributed to a rise in the occurrence of erectile

dysfunction in young men; and

WHEREAS, Overcoming pornography's harms is extremely difficult for the afflicted individual to address alone: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms; and

Be it further resolved: That we recognize the need for additional education, prevention, research and policy change at the community and societal levels, and we urge this chamber and other governing bodies to take appropriate steps to ensure progress is made; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the Kansas Attorney General, Derek Schmidt; the Kansas Bureau of Investigation Director, Kirk Thompson; the Kansas Highway Patrol Superintendent, Colonel Mark Bruce; the Kansas Department of Health and Environment Secretary, Susan Mosier; the Kansas Library Association; the Kansas County & District Attorneys Association; the Kansas Sheriffs' Association; the Kansas Association of Chiefs of Police; the Kansas Association of District Court Clerks and Administrators; the Kansas Appellate Courts and the Kansas Supreme Court; the League of Kansas Municipalities; the Kansas County Commissioners Association; the American Family Association of Kansas and Missouri State Director, Phillip Cosby; and Representative Humphries.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Garber in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Garber, Committee of the Whole report, as follows, was adopted:

Recommended that on motion of Rep. Curtis to amend **SB 43**, Rep. Esau requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane, and **SB 43** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2162** be amended on page 2, in line 9, by striking "\$80" and inserting "\$400"; in line 11, by striking "\$3,200" and inserting "\$4,000"; in line 13, by striking "\$3,200" and inserting "\$4,000";

On page 3, in line 9, after "after" by inserting "January 1, 2018, and"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2380, AN ACT concerning sales and compensating use tax; relating to city and county retailers' sales tax, Marion county; amending K.S.A. 2016 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

HB 2381, AN ACT concerning sales and compensating use tax; relating to exemptions, the land institute; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2382, AN ACT concerning motor fuels tax; relating to rates, trip permits and distribution of revenues; amending K.S.A. 2016 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **SB 25** from Committee on Agriculture and referral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **HB 2168** from Committee on Taxation and rereferral to Committee on Commerce, Labor and Economic Development.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6017**—

By Representative Wilson

HR 6017—A RESOLUTION recognizing after-school programs in Kansas and the increased exposure to Science, Technology, Engineering and Math (STEM) they provide to K-12 youth.

WHEREAS, More than 70,000 youth who attend an after-school program in Kansas are participating in project-based learning and apprenticeships that allow them to improve their 21st century skills; and

WHEREAS, Research shows that after-school programs help students perform better in school, improve work habits, elevate graduation rates, reduce juvenile crime and prepare students for in-demand careers, like those in STEM fields, which are expected to grow by 13% between 2012 and 2020; and

WHEREAS, Through after-school programs, students engage in enriching experiences that foster leadership, collaboration and responsibility; and

WHEREAS, For every one student enrolled in an after-school program, two are waiting to get into a program, and this ratio increases in rural areas to three students who are waiting to get into an after-school program; and

WHEREAS, Learning in after-school settings is often enhanced by an environment that supports personal attention from caring adults, positive peer groups, activities that youth find interesting, and building self-esteem; and

WHEREAS, These after-school programs provide healthy snacks and, sometimes, a meal accompanied by a health and nutrition lesson; and

WHEREAS, The combination of homework help, STEM or other hands-on enrichment activities, physical fitness opportunities, a snack, and dedicated, caring adults make after-school programs successful: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize after-school programs in Kansas and the increased exposure to Science, Technology, Engineering and Math (STEM) they provide to K-12 youth; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Representative Wilson and Randy Watson, Kansas Commissioner of Education.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Corbet to replace Rep. Houser on Committee on Federal and State Affairs on March 9, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, March 9, 2017.

Journal of the House

THIRTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 9, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 120 members present.

Reps. Ballard, Kuether, Neighbor and Thimesch were excused on verified illness.

Rep. Houser was excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Jeffrey W. Gannon, Senior Pastor, Chapel Hill United Methodist Church, Wichita, and guest of Rep. Elliott:

Almighty God, we give you thanks and praise for the gift of this new day and pray you will help us to rejoice and be glad in it.

O God, we pray Your blessing upon the leaders of our State, that we may be a people at peace among ourselves and a blessing to others with whom we live and work.

Gracious God, keep our State under your care.

We pray your blessing, O God, on our Governor, Sam Brownback, and to all in administrative authority, grant wisdom and grace in the exercise of their duties.

Give grace to your servants, O God.

We pray your blessing, O God, on our State Senators and Representatives, and those who make our laws in counties, cities, and towns, give them courage and wisdom, O God, so they may lead with diligence and serve with humility.

Give grace to your servants, O God.

To the Judges and officers of our Courts give spiritual understanding and moral integrity, that human rights may be safeguarded and liberty and justice be protected for all.

Give grace to your servants, O God.

And finally, O God, help us to trust You for our needs as Kansans, as we seek to be faithful to Your call to serve the common good. Help us to rely on You for wisdom and guidance for the decisions before us, that we may serve You faithfully in our generation and honor Your holy Name in all we say and do. *For yours is the kingdom, O Lord, and you are exalted as head above all. Amen.*

The Pledge of Allegiance was led by Rep. Parker.

INTRODUCTION OF GUESTS

There being no Objection, the following remarks of Rep. Wheeler are spread upon the Journal:

The Kansas Humanitarian Commission works to empower Kansas citizens and businesses to serve their communities, meet local and global humanitarian needs, and promote a spirit of service through dialogue, acts and commerce. A special emphasis is to encourage young Kansans to live a life where service to our neighbors is second nature. The Commission was created by Lt. Governor Dr. Jeff Colyer and is made up of community leaders throughout the state. The first Kansas Annual Humanitarian of the Year Award for the year 2016 is our own native son, Dr. Luther Fry from Garden City, Kansas.

Born in Montezuma, Kansas, Dr. Fry attained his Eagle Scout in 1956. He is the founder of Fry Eye Associates. His specialty is cataract extraction and intraocular lens implantation.

Dr. Fry served in the U.S. Army as the Battalion Surgeon in the First Calvary Division in Vietnam. He is a fellow of the American College of Eye Surgeons and a diplomat of the American Board of Ophthalmology. Dr. Fry sits on the boards of the International Intraocular Implant Club and KU Advisory. He was a founding member and the 1988 Capital Campaign for the High Plains Public Radio, starting their endowment fund.

Dr. Fry lectures world-wide and holds an appointment as a KU volunteer faculty member. Dr. Fry has provided over 400 scholarships for young students to attend Garden City Community College. He has also donated money to purchase a much needed Atheresis machine to St. Catherine's Hospital in Garden City, Kansas.

Some other non-profits that Dr. Fry has touched are as follows:

Benincase House (housing for families needing medical treatment)

Emmaus House (housing for homeless)

Sante Fe Trail Council, BSA (rebuilding the council camp after a forest fire)

Finney County Zoo and Museum (Capital Campaign)

Smokey Hills Public Television Station (lead giver for the Capital Campaign)

Big Brothers and Big Sisters (program expansion)

I think it is important in understanding the true nature of Dr. Fry to give you some of the quotes from the person who nominated him for this award, Janie Welsh.

"Thanks to Dr. Fry no patient has ever been denied care because of his or her inability to pay. In fact, in just one year alone, 185 patients received over \$160,000 in free or reduced cost of care."

"Dr. Fry has a true humanitarian vision, not only for the rural areas but also for the city, county, for the State, for our Nation and globally."

"He not only gives his money. He also gives of himself. Dr. Fry has touched and continues to touch so many people."

"When you look at him, you don't see someone dripping in jewels or fancy clothes. You see a humble man. You see a gentleman who has been, and still is, as generous to others as the good Lord has been to him."

"Governor Sam Brownback has said, 'Our states greatest resource is her people.' I believe that Dr. Fry personifies Kansas traits such as hard work and service to others. I believe there is no better humanitarian for the first Kansas Annual Humanitarian Year

Award for 2016 than our own native son, Dr. Luther Fry."

I feel I must also note that of all the multi-thousand surgeries performed by Dr. Fry, his wife, Artis Fry, has attended at his side as his nurse.

Rep. Wheeler presented a House certificate to Dr. Fry.

PERSONAL PRIVILEGE

There being no objection, the remarks of Rep. Swanson are spread upon the Journal:

Representative Davis and I are honored to recognize the wonderful work of the many organizations who support this life giving opportunity.

Two years ago Representative Davis and I shared our stories of life giving donations. Representative Davis donated stem cells to a young boy and I donated a kidney to a middle aged women. We are living proof that you don't have to die to donate!

However, the typical organ donation occurs at the time of death. By simply signing the back of your drivers license, you can affect the lives of so many people as a deceased donor.

- You can save up to eight lives through organ donation.
- You can improve up to 50 lives through tissue donation.
- You can renew vision for up to two people through cornea donation.
- You can change the lives of potentially millions through disease research and therapy.

If you are a little more adventuresome, you can be a live donor. By offering a kidney, lobe of a lung, portion of the liver, pancreas, intestine, or stem cells, living donors offer their loved one or friend an alternative to waiting on the national transplant waiting list for an organ from a deceased donor.

Currently in Kansas, nearly 400 people are awaiting a lifesaving transplant. Nationally more than 119,000 men, women, and children are on the waiting list. Every 10 minutes a name is added to the waiting list and an average of 22 people a day die while awaiting a transplant.

The Midwest Transplant Network has served Kansas and western Missouri with the mission of honoring the gift of donation with dignity and compassion. They are making great strides in educating our communities about the serious need for organ and tissue donors.

Members of Donate Life Kansas Team participating in Blue & Green Day at the Capitol today are in the House Gallery. They include: Midwest Transplant Network, Saving Sight, Kansas Eye Bank and Cornea Research Center, National Kidney Foundation, Kansas Kidney Coalition, Kansas Department of Revenue - Division of Vehicles, The Center for Transplantation at The University of Kansas Hospital and Hein Governmental Consulting.

Please be sure to stop by their booths on the 1st Floor, south wing for more information or to hear heartwarming stories about saving lives through donation.

Please join me in recognizing these vital organizations.

INTRODUCTION OF GUESTS

There being no objection, the remarks of Rep. Seiwert are spread upon the Journal:

I want to welcome the senior government class of 2017 from Fairfield High School to the Capitol. They are here to shadow legislators in the House and Senate today. Members of the House of Representatives and their students are: Rep. Barbara Ballard/Kayley Geesling, Rep. Sydney Carlin/Katie Deal, Rep. John Carmichael/Nick McReynolds, Rep. Gail Finney/Jaismon Travelbee, Rep. Kyle Hoffman/Sierra Davis, Rep. Joe Seiwert/Maria Stirbul and Rep. Kathy Wolf Moore/Summer Brennan. I want to thank their instructor, Jody Lubbers for making this happen each year as well as the parents who chaperoned.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2383, AN ACT relating to public employees; providing for annual pay increases, by Committee on Appropriations.

HB 2384, AN ACT concerning the Kansas retailers' sales tax act; relating to the imposition of tax upon certain services; amending K.S.A. 2016 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

HB 2385, AN ACT concerning income taxation; relating to rates and determination of Kansas adjusted gross income; amending K.S.A. 2016 Supp. 79-32,110 and 79-32,117 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HB 2386, AN ACT concerning port authorities; relating to the sale of property; amending K.S.A. 2016 Supp. 12-3412 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Federal and State Affairs: **HR 6016**.

Taxation: **HB 2380, HB 2381, HB 2382**.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Wilson, **HR 6017**, A RESOLUTION recognizing after-school programs in Kansas and the increased exposure to Science, Technology, Engineering and Math (STEM) they provide to K-12 youth., was adopted.

There being no objection, the following remarks of Rep. Wilson are spread upon the Journal:

I would like to recognize these students from Quincy Elementary Visual Arts Learning Academy afterschool program, French Middle School STEAM afterschool program, and Olathe Northwest High School First Robotics team as well as the Kansas

Regional Afterschool Ambassadors.

Since 80 percent of youth's time is spent outside of the regular school day, afterschool, before-school and summer learning opportunities help keep Kansas youth safe, inspire them to learn and support working families. These programs provide a broad array of additional services designed to reinforce and complement the regular academic studies such as: hands-on experiments that excite students about science, technology, engineering, and math, access to physical activity, drug and violence prevention programs, formal and informal mentoring, counseling programs, art, music, health and wellness activities, and technology education programs.

Specifically, the students participating in afterschool programs that focus on science, technology, engineering, and math also known as STEM report an increase interest in science careers and gains in important 21st century skills such as critical thinking and perseverance—skills in high demand for today's workforce. Most recently, some of the Kansas afterschool programs participated in the Afterschool & STEM System Building Evaluation 2016, which found that 70 percent of students across all the states reported positive gains in areas of science interest, science identity, science career interest and career knowledge, and 21st century skills.

According to the labor market data, STEM jobs are among the fastest-growing and highest paying jobs in the country. Millions of STEM jobs are projected to go unfilled due to the gap between the skills employers need and the skills workers have. It's not only jobs directly in STEM occupations: by some estimates, nearly 80% of all new jobs created nationwide over the next decade will require STEM skills such as critical thinking, problem solving, creativity, perseverance, and experimentation. Additionally, 67% of Kansas jobs will require some level of postsecondary education or credential, by 2018. Afterschool programs have significant potential to help young people find their spark and prepare for success in school today and jobs tomorrow.

More than 70,000 students in Kansas participate in afterschool programs, yet 132,000 would participate in a program if one were available. For every 1 student enrolled in a program, 2 are waiting to get in. This increases in rural areas: for every 1 student enrolled, 3 are waiting to get into a program. Just by attending an afterschool program, students like these today, are improving their grades, school attendance and behavior. The Kansas Regional Ambassadors are working hard to create and sustain these wonderful out of school opportunities for youth in their communities. I encourage you to reach out to learn more.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 43, AN ACT concerning elections; dealing with vacancies in the office of United States representative to congress; amending K.S.A. 25-3504, as amended by section 2 of 2017 House Bill No. 2017 and 25-3507, as amended by section 3 of 2017 House Bill No. 2017 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delpendang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis,

Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard, Houser, Kuether, Neighbor, Thimesch.

The bill passed.

REPORTS OF STANDING COMMITTEES

Committee on **Insurance** recommends **SB 17** be passed.

Committee on **Insurance** recommends **SB 16**, as amended by Senate Committee, be amended on page 4, following line 42, by inserting:

"(j) This section shall be a part of and supplemental to the insurance holding company act."; and the bill be passed as amended.

Committee on **Insurance** recommends **SB 19** be amended on page 13, in line 4, after "(9)" by inserting "Credit for reinsurance ceded to a certified reinsurer is limited to reinsurance contracts entered or renewed on or after the effective date of the certification of the assuming insurer by the commissioner.

(10) ";

Also on page 13, in line 30, by striking "(10)" and inserting "(11)"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Neighbor on Committee on Agriculture on March 9, 2017.

Also, the appointment of Rep. Ward to replace Rep. Kuether on Committee on Corrections and Juvenile Justice on March 9, 2017.

INTRODUCTION OF GUESTS

Rep. Schroeder introduced 2016 Miss Kansas Outstanding Teen, Paige Kauffman, of Hesston.

On motion of Rep. Hineman, the House adjourned until 8:00 a.m., Friday, March 10, 2017.

Journal of the House

THIRTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 10, 2017, 8:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 95 members present.

Reps. Delperdang, Kuether, Neighbor and Thimesch were excused on verified illness.

Rep. Whitmer was excused on legislative business.

Reps. Alford, Aurand, Campbell, Carlin, Claeys, Clark, Deere, DeGraaf, Finney, Fownfelter, Helgerson, Hoffman, Holscher, Houser, Jacobs, Lakin, Murnan, Orr, Ousley, Powell, Ruiz, Sawyer, Seiwert, Sloan and Whipple were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Gracious God,
Thank You for another day which You have
created for us to enjoy and live to the fullest.
As our leaders dive deeper into the decisions
that are to be made,
please rekindle their call to serve and
renew in their hearts the faith to make a difference.
Having called them to serve others to the best of their ability,
lift them even higher by Your grace and power
to live and work for Your greater honor and glory.
Lord, please be with our fellow residents who are
experiencing the grave destruction from the fires.
Keep safe those working diligently to put out the fires.
Encourage the hearts of those who are losing
crops, livestock and perhaps even buildings.
Help us all to come together to do what we can to help.
This I pray in Christ's Name,
Amen.

The Pledge of Allegiance was led by Rep. Tarwater.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2387, AN ACT concerning sales and compensating use tax; exemption for repairing, rebuilding or replacing certain property destroyed by wildfires; amending K.S.A. 2016 Supp. 79-3606d and repealing the existing section, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2383**.

Federal and State Affairs: **HB 2386**.

Taxation: **HB 2384**, **HB 2385**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2152** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **HB 2033** from Committee on Appropriations and rereferral to Committee on Judiciary.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6018**—

By Committee on Children and Seniors

A RESOLUTION recognizing the importance of restoring full funding to the Kansas Senior Care Act.

WHEREAS, The Kansas Senior Care Act was established in 1989 with overwhelming bipartisan support in order to assist older Kansans who have functional limitations in self-care and independent living, but who are able to reside in a community-based residence if some services are provided; and

WHEREAS, The Kansas Senior Care Act provides for a non-Medicaid program that offers elderly residents of Kansas the opportunity to receive care and support services in their homes; and

WHEREAS, Participants of the program provided by the Kansas Senior Care Act contribute to the cost of services based on their ability to pay; and

WHEREAS, The Kansas Senior Care Act is funded at the state level by the Kansas Department for Aging and Disability Services and administered by local Area Agencies on Aging; and

WHEREAS, The 11 Area Agencies on Aging in Kansas serve all 105 counties in the state and work hard to meet the needs of Kansans requiring long-term care services and support; and

WHEREAS, In 2016, funding for the Kansas Senior Care Act was cut by 30%, leading to a reduction of services and the implementation of a wait list for services in some counties; and

WHEREAS, Without restored funding for in-home services through the Kansas

Senior Care Act, many additional current and would-be participants will be without needed services or will enter nursing homes; and

WHEREAS, Continued support and funding of the Kansas Senior Care Act is imperative: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we support the restoration of full funding to the Kansas Senior Care Act.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2343** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2168** be amended by adoption of the amendments recommended by the House Committee on Commerce, Labor and Economic Development as reported in the Journal of the House on February 21, 2017, and the bill, as printed with the amendments by the House Committee, be passed as amended.

Committee on **Health and Human Services** recommends **SB 32**, as amended by Senate Committee of the Whole, be amended on page 12, in line 18, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "concerning" and inserting "relating to mental health care;"; also in line 1, by striking "relating"; also in line 2, by striking "to"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 37, by Representative Eplee, congratulating Arie Stenek for Induction to the Phi Theta Kappa Honor Society;

Request No. 38, by Representative Eplee, congratulating Taylor Cooper for Induction to the Phi Theta Kappa Honor Society;

Request No. 39, by Representative Eplee, congratulating Obinna Muoh for Induction to the Phi Theta Kappa Honor Society;

Request No. 40, by Representative Aurand, congratulating Kansas Territory Brewing Company for being named 2016 Best New Brewer in Kansas;

Request No. 41, by Representative John Eplee, congratulating Troy High School Trojans Football Team for winning the 2016 Kansas 2A State Championship;

Request No. 42, by Representative Kessinger, congratulating the Kansas Lottery on its 30th Birthday Celebration;

Request No. 43, by Representative Pittman, in honor of the 125th anniversary of the Kansas Sons of the American Revolution;

Request No. 44, by Representative Aurand, congratulating Sharon L. Wenger in recognition of her work over the past three decades on behalf of the people of Kansas;

Request No. 45, by Representative Wheeler, honoring Dr. Luther Fry for his selection as an inaugural Kansas Humanitarian of the Year 2016;

Request No. 46, by Representative Rahjes, congratulating Valley Hope Association on their 50th anniversary;

Request No. 47, by Representative Phelps, congratulating Gerard Wellbrock on be-

ing named 2016 National Sports Media Association Sportscaster of the Year in Kansas;
Request No. 48, by Representative Swanson, congratulating Donate Life Kansas Team on the success of Donate Life Kansas Blue & Green Day;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

REPORT ON ENROLLED RESOLUTIONS

HR 6015 reported correctly enrolled and properly signed on March 10, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, March 13, 2017.

Journal of the House

THIRTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 13, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 120 members present.

Reps. Huebert, Ousley and Thimesch were excused on verified illness.

Rep. Seiwert was excused on legislative business.

Rep. Jacobs was excused on excused absence by the Speaker.

Prayer by guest chaplain, Dr. Moussa Elbayoumy, Islamic Center of Lawrence, and guest of Rep. Highberger:

Assalam Alaikum Wa Rahmatullah Wa Barakatuh
May the peace of God His Mercy and Blessings
be with you and Upon You

In the name of God the most gracious, the most merciful,

On this new day, as this assembly begins, we ask you, our God, the creator of heaven and earth and everything in between, to bless this assembly, its members, and the people they represent from every town, every city, and every county, from every faith & creed, every race, and every origin.

Our Almighty creator, at this time in our history, the challenges facing our State, our Nation, and indeed our world are great and many.

We ask you O God, to grant these men and women an abundance of your wisdom and guidance to steer our state into the path of compassion, justice and use of sound judgment to face all these challenges.

O God, you have chosen them, in your wisdom, to be in this position of great responsibility and honor, so please O God, help them with Your guidance, and Your light. Grant them the strength and the will to do what is right to improve the lives and the well-being of ALL the people of this great state and beyond. It is only You we worship and only Your help we seek, to guide us and them, to the straight path.

Amen

The Pledge of Allegiance was led by Rep. Koesten.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2388, AN ACT authorizing the issuance of revenue bonds; relating to state lottery revenues; amending K.S.A. 2016 Supp. 74-8711 and 74-8768 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-8723, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and resolution were referred to committees as indicated:

Children and Seniors: **HR 6018**.

Taxation: **HB 2387**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2040** from Committee on Appropriations and rereferral to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 60** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 60," as follows:

"House Substitute for SENATE BILL NO. 60

By Committee on Agriculture

"AN ACT concerning agriculture; relating to the Kansas department of agriculture; certain fees; authorizing the Kansas secretary of agriculture to collect a fee for processing paper documents; amending K.S.A. 74-576 and K.S.A. 2016 Supp. 2-1205, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-303b, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 60** was thereupon introduced and read by title.)

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Carmichael on Committee on Commerce and Labor on March 13, 2017.

On motion of Rep. Hineman, the House recessed until 4:45 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

The House stood at ease until the sound of the gavel.

REPORTS OF STANDING COMMITTEES

Committee on **Elections** recommends **Substitute for HB 2223** be amended on page 1, by striking all in lines 7 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 41;

On page 4, in line 27, after "(c)" by inserting "(1) Subject to the notice provisions of subsection (a), reports that are due under the provisions of K.S.A. 25-4145 and 25-4148, and amendments thereto, for each political committee that anticipates receiving \$2,501 or more in any calendar year and are late more than 48 hours shall be subject to civil penalties as provided in subsection (c)(2).

(2) The political committee shall be liable for a civil penalty of \$100 for the first day the report is more than 48 hours late and \$50 for each subsequent day the report is late. The commission may waive, for good cause, payment of any civil penalty imposed by this section.

(d)";

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

On page 5, in line 30, by striking "subject" and inserting "subject";

On page 6, in line 23, by striking "25-4148,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "25-4148,"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2387** be amended on page 1, by striking all in line 12; in line 13, by striking all before "that" and inserting "fence"; in line 14, by striking "year"; in line 16, before the first "2017" by inserting "years 2016 and"; also in line 16, after the first "2017" by inserting ", and the purpose for which is to enclose land devoted to agricultural use"; in line 25, after the period by inserting "Any person constructing, reconstructing, repairing or replacing such property or any person who shall contract for the construction, reconstruction, repair or replacement of any such property shall obtain from the state an exemption certificate for the project involved. The certificate shall be furnished to the person or contractor to purchase materials, machinery and equipment for incorporation in such project. The person or contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the person that obtained the exemption certificate, a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection."; and the bill be passed as amended.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, March 14, 2017.

Journal of the House

FORTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 14, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.
Rep. Thimesch was excused on verified illness.
Rep. Seiwert was excused on legislative business.
Rep. Blex was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
This is the day in which You have made.
Help us to be good stewards of our time
and wise in our actions throughout this day.
It's March Madness time again.
There is a lot of studying and learning going on right now;
discovering the other side's weaknesses, strength,
go-to plays and patterns.
When the ball is dropped,
there will be passing, guarding, blocking, and shooting.
Screens will be set, quick transitions made,
cuts executed and swift movements before a shot is taken.
Unfortunately, there will also be fouls made.
It is important that the team gets its best players into position
to make the best plays for the whole team.
However, the most important thing
is that the team works and plays together
and exhibits good sportsmanship no matter the outcome.
As it is on the basketball court, may it be so in this legislature.
Sometimes we may see ourselves as opposing teams,
but in reality we are one team playing for the win
for our Kansas residents.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Ruiz.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2389, AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 2016 Supp. 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections, by Committee on Federal and State Affairs.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5012**, A RESOLUTION providing for a joint session for hearing a message from the Supreme Court, was introduced and adopted.

HOUSE CONCURRENT RESOLUTION No. **HCR 5012**

By Representatives Ryckman, Hineman and Ward

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Supreme Court.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Senate and the House of Representatives meet in joint session in Representative Hall at 4:30 pm on March 15, 2017, for the purpose of hearing a message from the Supreme Court on the judicial branch of government.

Be it further resolved: That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Supreme Court Justices.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Appropriations: **HB 2388**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2047** from Committee on Appropriations and rereferral to Committee on Health and Human Services.

Also, the withdrawal of **SB 181** from Committee on Transportation and referral to Committee on Judiciary.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Schreiber, **HR 6019**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6019**

By Representatives Schreiber, Baker, Bishop, Carlin, Crum, Delperdang, Dietrich, Elliott, Finney, Gartner, Highberger, Highland, Hineman, Humphries, Osterman, Patton, Resman, Ryckman, Sawyer, Schwab, Seiwert, A. Smith, Swanson, Victors, Ward, Weber, Weigel, Whipple and Wilson

HR 6019—A RESOLUTION recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC), a member of the national organization, America's SBDC, is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners start and grow their businesses through professional consulting and training, and the identification of appropriate resources; and

WHEREAS, The Kansas SBDC regional directors and staff selected eight Emerging Business of the Year award recipients, eight Existing Business of the Year award recipients and one Exporting Business of the Year award recipient; and

WHEREAS, The Kansas SBDC's Business of the Year awards are designed to recognize Kansas SBDC clients for superior performance; and

WHEREAS, Business of the Year award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and positive economic impact, which is based on a record of profitability and the Kansas SBDC Economic Impact Tracking spreadsheet, and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2017 Kansas SBDC Emerging Businesses of the Year are: Cowgirl Creations and Design in Saint Francis, Kansas, owned by Allison Grice; Gorilla Country in Pittsburg, Kansas, owned by Steve Scott; HECO Heating & Cooling, LLC, in Liberal, Kansas, owned by Rafael Figueroa; Limestone Pizza Kitchen Bar in Lawrence, Kansas, owned by Debbie Rascoll and Rick Martin; Mulready's Pub in Emporia, Kansas, owned by Rick Becker; Reverie Coffee Roasters in Wichita, Kansas, founded by Andrew Gough; Sprout Communications in Topeka, Kansas, owned by Caleb Asher; and Town Square in Paola, Kansas, owned by Michelle A. Kaiser; and

WHEREAS, The 2017 Kansas SBDC Existing Businesses of the Year are: Audacious Boutique in Iola, Kansas, owned by Kelly Sigg; Heartland Mill, Inc., in Marienthal, Kansas, owned by Mark Nightengale; Jason Wright Electric in Olathe, Kansas, owned by Jason Wright; Primary Color Music in Lawrence, Kansas, owned by Sam Billen; PWI, Inc., in Wichita, Kansas, owned by Judy Baldwin and Robi Lorik; Quality Profile Services, Inc., in Council Grove, Kansas, owned by John and Karen True; Second Chance Ranch in Goodland, Kansas, owned by Todd Trzcinski; and Toto's Tacos! in Wamego, Kansas, owned by Craig and Colleen Lord; and

WHEREAS, The 2017 Kansas SBDC Exporting Business of the Year is GT Manufacturing, Inc., in Clay Center, Kansas, owned by James Sampson and Dennis Pedersen; and

WHEREAS, The Kansas SBDC Businesses of the Year serve as examples of the success that the Kansas SBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Kansas Small Business Development Center's 2017 Emerging, Existing and Exporting Businesses of the Year and wish all of them, the Kansas SBDC and America's SBDC continued success in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 20 enrolled copies of this resolution to Representative Schreiber.

There being no objection, the following remarks of Rep. Schreiber are spread upon the Journal:

Good morning colleagues,

It is an honor to present the 2017 winners of the Kansas Small Business Development Center existing and emerging businesses of the year.

The Kansas Small Business Development Centers work with small businesses, startups and entrepreneurs to help them compete in today's highly competitive global economy. Eight regional KSBDC centers and two outreach centers combine the resources of a professional staff, the state's best educational institutions, the private sector and government.

The mission of these centers is to help new entrepreneurs realize the dream of business ownership, and to assist existing businesses to remain competitive in the complex marketplace of a global economy.

Small business owners and aspiring entrepreneurs can go to their local center for free face-to-face business consulting and at-cost training, on topics including: Writing business plans, Accessing capital, Marketing, Regulatory compliance, Technology development and International trade. They can also meet with people on the phone, or online no matter where they are located in the state.

In 2015 the impact of the Kansas SBDCs was: 2,555 jobs created/retained, \$123.79m new business sales and \$88.6m new business capital.

The businesses being recognized today are:

2017 Kansas SBDC Emerging Businesses of the Year are:

- Cowgirl Creations and Design in Saint Francis, Kansas, Allison Grice;
- Gorilla Country in Pittsburg, Kansas, Steve Scott;
- HECO Heating & Cooling LLC in Liberal, Kansas, Rafael Figueroa;
- Limestone Pizza Kitchen Bar in Lawrence, Kansas, Debbie and Charles Rascoll
- Mulready's Pub in Emporia, Kansas, Rick Becker
- Reverie Coffee Roasters in Wichita, Kansas, Andrew Gough
- Sprout Communications in Topeka, KS, Caleb Asher
- Town Square in Paola, Kansas, Michelle A. Kaiser

2017 Kansas SBDC Existing Businesses of the Year are:

- Audacious Boutique in Iola, Kansas, Kelly Sigg
- Heartland Mill Inc. in Marienthal, KS, Mark Nightengale
- Jason Wright Electric in Olathe, Kansas, Jason Wright
- Primary Color Music in Lawrence, Kansas, Sam Billen
- PWI, Inc. in Wichita, Kansas, Judy Baldwin and Robi Lorik
- Quality Profile Services Inc. in Council Grove, Kansas, John and Karen True, Steve Shepard

- Second Chance Ranch in Goodland, Kansas, Todd Trzcinski

- Toto's Tacoz in Wamego, Kansas, Craig and Colleen Lord

2017 Kansas SBDC Exporting Business of the Year is:

- GT Manufacturing, Inc. in Clay Center, Kansas, James Sampson and Dennis Pedersen

Please help me congratulate these outstanding businesses.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Rahjes, **HR 6020**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6020**

By Representative Rahjes

HR 6020—A RESOLUTION honoring the 50th anniversary of Valley Hope Treatment Center.

WHEREAS, The Valley Hope Association is one of the largest non-profit alcohol and drug treatment providers in the nation; and

WHEREAS, Since Valley Hope Association opened its doors with the Valley Hope Treatment Center in Norton, Kansas, in 1967, they have touched the lives of over 400,000 individuals and their family members; and

WHEREAS, Valley Hope was built on the belief that alcoholism and drug addiction are treatable chronic diseases, and that treatment should focus on helping individuals recover physically, mentally and emotionally, with programming that is centered on love, dignity and respect; and

WHEREAS, The Valley Hope Association continues to make significant contributions to the prevention, intervention and treatment of alcohol and drug abuse in Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor the 50th anniversary of the Valley Hope Treatment Center; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Rahjes.

There being no objection, the following remarks of Rep. Rahjes are spread upon the Journal:

The Valley Hope Association, one of the largest non-profit alcohol and drug treatment providers in the nation, is celebrating its 50th year anniversary. Since opening its doors in Norton, Kansas, in 1967, Valley Hope has touched the lives of over 400,000 individuals and their family members. Valley Hope was built on the belief that alcoholism and drug addiction is a treatable chronic disease and that the treatment experience, grounded in the 12-Step philosophy, will focus on helping individuals recover physically, mentally and spiritually with programming centered on love and treating individuals and their family members with dignity and respect.

Today, the Valley Hope Association operates nine residential facilities and eight outpatient centers in seven states, with three in Kansas in the communities of Atchison, Moundridge and Norton. I have asked the representatives from those communities to join us today.

With over 700 employees system-wide, including a multidisciplinary care team of physicians, psychiatrists, certified addictions registered nurses, certified addictions counselors and licensed alcohol/drug counselors all dedicated to providing the best possible outcomes for Valley Hope patients. The nationally recognized treatment provider continues to make significant contributions to the prevention, intervention and treatment of alcohol and drug abuse in Kansas.

Joining us today from Valley Hope is current CEO Pat George who you may recognize from his five years of service as a member of the House of Representatives and his five years as the Secretary of Commerce. Pat is also an alumni of Valley Hope who recently celebrated 25 years of sobriety. Accompanying Pat is former Valley Hope CEO Dr. Ken Gregoire; Valley Hope Chief of Staff Tricia Olson; Valley Hope Marketing Development Manager for Eastern Kansas Christi Darnell; and Valley Hope Transportation Manager George Land.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that Committee report to **HB 2228** be adopted; and the bill be passed as amended.

Committee report to **HB 2162** be adopted; on motion of Rep. Helgeson to amend **HB 2162**, Rep. Johnson requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **HB 2387** be adopted; and the bill be passed as amended.

Committee reports to **HB 2168** be adopted; on motion of Rep. Davis, **HB 2168** be amended on page 2, in line 25, after "company" by inserting "whose principal business operations is not in Kansas"

Also, on motion of Rep. Stogsdill to re-refer **HB 2168** to Committee on Commerce, Labor and Economic Development, the motion did not prevail.

Also, on motion of Rep. Hodge to amend **HB 2168**, as amended by House Committee, on page 10, following line 6, by inserting:

"Sec. 12. (a) For all taxable years commencing after December 31, 2016, there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 25% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "taxation; relating to income tax, credits; tax incentives"

Rep. Davis requested a ruling on the amendment being germane to the bill. The Rules

Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Hodge to amend **HB 2168**.

On roll call, the vote was: Yeas 56; Nays 63; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Crum, S., Curtis, Deere, DeGraaf, Elliott, Finney, Frownfelter, Garber, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, K. Jones, Kessinger, Koesten, Kuether, Lakin, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rafie, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weber, C., Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Campbell, Claeys, Concannon, Corbet, Cox, E. Davis, Delperdang, Dierks, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schwab, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thompson, Vickrey, Waymaster, Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Blex, Huebert, Landwehr, Schroeder, Seiwert, Thimesch.

The motion of Rep. Hodge to amend **HB 2168** did not prevail, and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **HB 2387** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2387, AN ACT concerning sales and compensating use tax; exemption for repairing, rebuilding or replacing certain property destroyed by wildfires; amending K.S.A. 2016 Supp. 79-3606d and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A.,

Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Blex, Seiwert, Thimesch.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2182** be passed.

Committee on **Corrections and Juvenile Justice** recommends **SB 42** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 42," as follows:

"House Substitute for SENATE BILL NO. 42
By Committee on Corrections and Juvenile Justice

"AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; amending K.S.A. 2015 Supp. 38-2304, as amended by section 30 of chapter 46 of the 2016 Session Laws of Kansas, 38-2342, as amended by section 36 of chapter 46 of the 2016 Session Laws of Kansas, 38-2361, as amended by section 42 of chapter 46 of the 2016 Session Laws of Kansas, 38-2368, as amended by section 45 of chapter 46 of the 2016 Session Laws of Kansas, 38-2369, as amended by section 46 of chapter 46 of the 2016 Session Laws of Kansas, 38-2375, as amended by section 51 of chapter 46 of the 2016 Session Laws of Kansas and K.S.A. 2016 Supp. 38-2330, 38-2346, 38-2391, 38-2392, 75-52,161, 75-52,162, 75-52,164 and 75-6704 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 42** was thereupon introduced and read by title.)

Committee on **Financial Institutions and Pensions** recommends **SB 66** be passed.

Committee on **Financial Institutions and Pensions** recommends **HB 2289** be amended on page 2, in line 25, by striking "period of time" and inserting "member employed as a fireman or policeman, as described in K.S.A. 74-4952(11) or (12), and amendments thereto, who is"; in line 32, after the period by inserting "If the member does not return to work for the participating employer in the same or a similar position at the conclusion of such leave, except for reasons of death or disability, the period of the leave shall be removed from service credit and the employer and employee contributions for such period of leave shall be reimbursed by the system to the employee and the employer unless otherwise provided herein. In the case of a decision to voluntarily terminate employment, the period of leave exceeding 365 days shall be removed from service credit and the employer and employee contributions for such period of leave shall be reimbursed by the system to the employee and employer.";

On page 5, in line 2, after the period by inserting "If the member does not return to work for the participating employer in the same or a similar position at the conclusion of such leave, except for reasons of death or disability, the period of the leave shall be

removed from service credit and the employer and employee contributions for such period of leave shall be reimbursed by the system to the employee and the employer unless otherwise provided herein. In the case of a decision to voluntarily terminate employment, the period of leave exceeding 365 days shall be removed from service credit and the employer and employee contributions for such period of leave shall be reimbursed by the system to the employee and employer."; and the bill be passed as amended.

Committee on **Financial Institutions and Pensions** recommends **SB 20** be amended on page 7, in line 22, by striking "and"; in line 28, before the period, by inserting:
"; and

(36) to buy tax credits for certain historic structure rehabilitation expenditures pursuant to K.S.A. 2016 Supp. 79-32,211, and amendments thereto. The total amount of such tax credits held by a bank shall at no time exceed 25% of the capital stock, surplus, undivided profits, 100% of the allowance for loan and lease loss, capital notes and debentures and reserve for contingencies of such bank";

On page 15, following line 22, by inserting:

"Sec. 5. K.S.A. 2016 Supp. 9-508 is hereby amended to read as follows: 9-508. As used in this act:

(a) "Agent" means a person designated by a licensee to receive funds from a Kansas resident in order to forward such funds to the licensee to effectuate money transmission at one or more physical locations throughout the state or through the internet, regardless of whether such person would be exempt from the act by conducting money transmission on such person's own behalf;

(b) "commissioner" means the state bank commissioner;

(c) "control" means the power directly or indirectly to direct management or policies of a person engaged in money transmission or to vote 25% or more of any class of voting shares of a person engaged in money transmission;

(d) "electronic instrument" means a card or other tangible object for the transmission or payment of money, including a prepaid access card or device which contains a microprocessor chip, magnetic stripe or other means for the storage of information, that is prefunded and for which the value is decremented upon each use, but does not include a card or other tangible object that is redeemable by the issuer in goods or services;

(e) "licensee" means a person licensed under this act;

(f) "nationwide multi-state licensing system and registry" means a licensing system developed and maintained by the conference of state bank supervisors, or its successors and assigns, for the licensing and reporting of those persons engaging in the money transmission;

(g) "monetary value" means a medium of exchange, whether or not redeemable in money;

(h) "money transmission" means to engage in the business of the sale or issuance of payment instruments or of receiving money or monetary value for transmission to a location within or outside the United States by wire, facsimile, electronic means or any other means, except that money transmission does not include currency exchange where no transmission of money occurs;

(i) "outstanding payment liability" means:

(1) With respect to a payment instrument, any payment instrument issued or sold by the licensee which has been sold in the United States directly by the licensee, or any payment instrument that has been sold by an agent of the licensee in the United States, which has been reported to the licensee as having been sold and which has not yet been paid by or for the licensee; or

(2) with respect to the transmission of money or monetary value, any money or monetary value the licensee or an agent of the licensee has received from a customer in the United States for transmission which has not yet been delivered to the recipient or otherwise paid by the licensee;

(j) "payment instrument" means any electronic or written check, draft, money order, travelers check or other electronic or written instrument or order for the transmission or payment of money, sold or issued to one or more persons, whether or not such instrument is negotiable. The term "payment instrument" does not include any credit card voucher, any letter of credit or any instrument which is redeemable by the issuer in goods or services;

(k) "permissible investments" means:

(1) Cash;

(2) deposits in a demand or interest bearing account with a domestic federally insured depository institution, including certificates of deposit;

(3) debt obligations of a domestic federally insured depository institution;

(4) any investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates such securities;

(5) investment grade bonds and other legally created general obligations of a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States;

(6) obligations that a state, an agency or political subdivision of a state, the United States or an instrumentality of the United States has unconditionally agreed to purchase, insure or guarantee and that bear a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities;

(7) shares in a money market mutual fund, interest-bearing bills or notes or bonds, debentures or stock traded on any national securities exchange or on a national over-the-counter market, or mutual funds primarily composed of such securities or a fund composed of one or more permissible investments as set forth herein;

(8) receivables that are payable to a licensee, in the ordinary course of business, pursuant to contracts which are not past due and which do not exceed in the aggregate 40% of the total required permissible investments pursuant to K.S.A. 9-513b, and amendments thereto. A receivable is past due if not remitted to the licensee within 10 business days; or

(9) any other investment or security device approved by the commissioner;

(l) "person" means any individual, partnership, association, joint-stock association, trust, corporation or any other form of business enterprise;

(m) "resident" means any natural person or business entity located in this state; ~~and~~

(n) "service provider" means any person that provides services as described in K.S.A. 9-511(a)(2)(A), and amendments thereto, that are used by an exempt entity or its agent to provide money transmission services to the exempt entity's customers. A service provider does not contract with the customers of an exempt entity on its own or on behalf of an exempt entity or the exempt entity's agent; and

~~(n)~~(o) "tangible net worth" means the physical worth of a licensee, calculated by taking a licensee's assets and subtracting its liabilities and its intangible assets, such as copyrights, patents, intellectual property and goodwill.

Sec. 6. K.S.A. 2016 Supp. 9-509 is hereby amended to read as follows: 9-509. (a) No person shall engage in the business of selling, issuing or delivering its payment instrument, check, draft, money order, personal money order, bill of exchange, evidence of indebtedness or other instrument for the transmission or payment of money or otherwise engage in the business of money transmission with a resident of this state, or, except as provided in K.S.A. 9-510, and amendments thereto, act as agent for another in the transmission of money as a service or for a fee or other consideration, unless such person files ~~an~~ a complete application and obtains a license from the commissioner.

(b) Each license shall expire December 31 of each year. A license shall be renewed by filing with the commissioner a complete application and nonrefundable application fee at least 30 days prior to expiration of the license. Renewal applications received between December 1 and December 31 of each year and incomplete renewal applications as of December 1 of each year shall be assessed a late fee. Expired licenses may be reinstated through ~~February 28 the last day of February~~ of each year by filing a reinstatement application and paying the appropriate application and late fees.

(c) It shall be unlawful for a person, acting directly or indirectly or through concert with one or more persons, to acquire control of any person engaged in money transmission through purchase, assignment, pledge or other disposition of voting shares of such money transmitter, except with the prior approval of the commissioner. Request for approval of the proposed acquisition shall be made by filing ~~an~~ a complete application with the commissioner at least 60 days prior to the acquisition.

(d) All applications shall be submitted in the form and manner prescribed by the commissioner. Additionally, the following shall apply to all applications:

(1) The commissioner may use a nationwide multi-state licensing system and registry for processing applications, renewals, amendments, surrenders, and any other activity the commissioner deems appropriate. The commissioner may also use a nationwide multi-state licensing system and registry for requesting and distributing any information regarding money transmitter licensing to and from any source so directed by the commissioner. The commissioner may establish relationships or contracts with the nationwide multi-state licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees, as may be reasonably necessary to participate in the nationwide multi-state licensing system and registry. The commissioner may report violations of the law, as well as enforcement actions and other relevant information to the nationwide multi-state licensing system and registry. The commissioner may require any applicant or licensee to file reports with the nationwide multi-state licensing system and registry in the form prescribed by the commissioner.

(2) An application shall be accompanied by nonrefundable fees established by the commissioner for the license ~~and each agent location~~. The commissioner shall determine the amount of such fees to provide sufficient funds to meet the budget requirements of administering and enforcing the act for each fiscal year. ~~For the purposes of this subsection, "each agent location" means each physical location within the state where money transmission is conducted, including, but not limited to, branch offices, authorized vendor offices, delegate offices, kiosks and drop boxes.~~ Any person

using the multi-state licensing system shall pay all associated costs.

(3) (A) The commissioner may require fingerprinting of any individual, officer, director, partner, member, shareholder or any other person related to the application deemed necessary by the commissioner. If the applicant is a publicly traded corporation or a subsidiary of a publicly traded corporation, no fingerprint check shall be required. Fingerprints may be submitted to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of arrests and convictions in this state or other jurisdiction.

(B) The commissioner may use information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person, or in the case of an applicant company, the persons associated with the company.

(C) For purposes of this section and in order to reduce the points of contact which the federal bureau of investigation may have with the individual states, the commissioner may use a nationwide multi-state licensing system and registry for requesting information from and distributing information to the department of justice or any governmental agency.

(D) Whenever the commissioner requires fingerprinting, any associated costs shall be paid by the applicant or the parties to the application.

(4) Each application shall include audited financial statements for each of the two fiscal years immediately preceding the date of the application and an interim financial statement, as of a date not more than 90 days prior to the date of the filing of an application. The audited and interim financial statements shall be prepared in accordance with United States generally accepted accounting principles or in any other form or manner approved by the commissioner. Any person not in business two years prior to the filing of the application shall submit a statement in the form and manner prescribed by the commissioner sufficient to demonstrate compliance with subsection (e).

(e) In addition, each person submitting an application shall meet the following requirements:

(1) The tangible net worth of such person shall be at all times not less than \$250,000, as shown by an audited financial statement and certified to by an owner, a partner or officer of the corporation or other entity filed in the form and manner prescribed by the commissioner. A consolidated financial statement from an applicant's holding company may be accepted by the commissioner. The commissioner may require any person to file a statement at any other time upon request;

(2) such person shall deposit and at all times keep on deposit with a bank in this state approved by the commissioner, cash or securities satisfactory to the commissioner in an amount not less than \$200,000. The commissioner may increase the amount of cash or securities required up to a maximum of \$1,000,000 upon the basis of:

(A) The volume of money transmission business transacted in this state by such person; or

(B) the impaired financial condition of a licensee, as evidenced by a reduction in net worth or financial losses;

(3) in lieu of the deposit of cash or securities required by this subsection, such person may give a surety bond in an amount equal to that required for the deposit of

cash or securities, in a form satisfactory to the commissioner and issued by a company authorized to do business in this state, which bond shall be payable to the office of the state bank commissioner and be filed with the commissioner; and

(4) such person shall submit a list to the commissioner of the names and addresses of other persons who are authorized to act as agents for transactions with Kansas residents.

(f) The commissioner has the discretion to determine the completeness of any application submitted pursuant to this act. In making the determination, the commissioner shall take into consideration compliance with all requirements set out in this section and any other facts and circumstances that the commissioner deems appropriate.

(1) If the applicant fails to complete the application for a new license or for a change of control of a license within 60 days after the commissioner provides written notice of the incomplete application, the application will be considered abandoned and the application fee will not be refunded. An applicant whose application is abandoned under this section may reapply to obtain a license.

(2) If the applicant fails to file a complete renewal application on or before December 31 of the year, the license will be deemed to expire on December 31 of the year.

~~(f)~~(g) The deposit of cash, securities or surety bond required by this section shall be subject to:

(1) Payment to the commissioner for the protection and benefit of purchasers of money transmission services, purchasers or holders of payment instruments furnished by such person, and those for whom such person has agreed to act as agent in transmission of monetary value and to secure the faithful performance of the obligations of such person in respect to the receipt, handling, transmission and payment of monetary value; and

(2) payment to the commissioner for satisfaction of any expenses, fines, fees or refunds due pursuant to this act, levied by the commissioner or that become lawfully due pursuant to a final judgment or order.

~~(g)~~(h) The aggregate liability of the surety for all breaches of the conditions of the bond, in no event, shall exceed the amount of such bond. The surety on the bond shall have the right to cancel such bond upon giving 30 days' notice to the commissioner and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of the cancellation. The commissioner or any aggrieved party may enforce claims against such deposit of cash or securities or surety bond. So long as the depositing person is not in violation of this act, such person shall be permitted to receive all interest and dividends on the deposit and shall have the right to substitute other securities satisfactory to the commissioner. If the deposit is made with a bank, any custodial fees shall be paid by such person.

~~(h)~~(i) (1) The commissioner shall have the authority to examine the books and records of any person operating in accordance with the provisions of this act, at such person's expense, to verify compliance with state and federal law.

(2) The commissioner may require any person operating in accordance with the provisions of this act to maintain such documents and records as necessary to verify compliance with this act, or any other applicable state or federal law or regulation.

(3) For purposes of investigation, examination or other proceeding under this act,

the commissioner may administer or cause to be administered oaths, subpoena witnesses and documents, compel the attendance of witnesses, take evidence and require the production of any document that the commissioner determines to be relevant to the inquiry.

(j) Except as authorized with regard to the appointment of agents, a licensee is prohibited from transferring, assigning, allowing another person to use the licensee's license, or aiding any person who does not hold a valid license under this act in engaging in the business of money transmission.

Sec. 7. K.S.A. 2016 Supp. 9-513a is hereby amended to read as follows: 9-513a. The commissioner, after notice and an opportunity for a hearing, may deny, suspend, revoke or refuse to renew or approve a license issued pursuant to this act, or issue a cease and desist order if the commissioner finds any of the following are applicable to any person who is required to be licensed under this act or such person's agent:

(a) The financial responsibility, character, reputation, experience and general fitness of the person, such person's senior officers, directors and principal stockholders are such to warrant the belief that the business may not be operated efficiently, fairly and in the public interest;

(b) the person may be financially unable to perform such person's obligations or that the person has willfully failed without reasonable cause to pay or provide for payment of any of such person's obligations related to the person's money transmission business;

(c) the person no longer meets a requirement for initial granting of a license;

(d) the person has filed with the commissioner any document or statement falsely representing or omitting a material fact;

(e) the person concealed a fact or a condition exists which would clearly have justified the commissioner's refusal to grant a license had the fact or condition been known to exist at the time the application for the license was made;

(f) the person or a senior officer, director or a stockholder who owns more than 10% of the money transmission business' outstanding stock has been convicted of a crime involving fraud, dishonesty or deceit;

(g) there has been entry of a federal or state administrative order against the person for violation of any rule and regulation applicable to the conduct of the person's money transmission business;

(h) the person refused to provide information requested by the commissioner or refused to permit an examination or investigation by the commissioner;

(i) a failure to pay to the commissioner any fee required by this act;

(j) the person has engaged in any transaction, practice or business conduct that is fraudulent or deceptive in connection with the business of money transmission;

(k) the person advertises, displays, distributes, broadcasts or televises any false, misleading or deceptive statement or representation with regard to rates, terms or conditions for the transmission of money;

(l) the person fails to keep and maintain sufficient records to permit an audit to satisfactorily disclose to the commissioner the licensee's compliance with the provisions of the act;

(m) the person has been the subject of any disciplinary action by this or any other state or federal agency;

(n) a final judgment has been entered against the person in a civil action and the

commissioner finds the conduct on which the judgment is based indicates that it would be contrary to the public interest to permit such person to be licensed;

(o) the person has violated any order issued by the commissioner, any provision of this act, any rule and regulation adopted thereto, or any other state or federal law applicable to money transmission; or

(p) the person has refused or otherwise failed to provide, after a reasonable time as determined by the commissioner, any information necessary to approve or renew an application or license issued pursuant to this act.

Sec. 8. K.S.A. 2016 Supp. 9-2203 is hereby amended to read as follows: 9-2203.

(a) Mortgage business shall only be conducted in this state at or from a mortgage company licensed by the commissioner as required by this act. A licensee shall be responsible for all mortgage business conducted on their behalf by loan originators or other employees.

(b) Mortgage business involving loan origination shall only be conducted in this state by an individual who has first been registered with the commissioner as a loan originator as required by this act and maintains a valid unique identifier issued by the nationwide mortgage licensing system and registry, if operational at the time of registration.

(c) Loan origination shall only be conducted at or from a mortgage company and a registrant shall only engage in mortgage business on behalf of one mortgage company.

(d) Nothing under this act shall require a licensee to obtain any other license under any other act for the sole purpose of conducting non-depository mortgage business.

(e) Any person who willfully or knowingly violates any of the provisions of this act, any rule and regulation adopted or order issued under this act commits a severity level 7 nonperson felony. A second or subsequent conviction of this act, regardless of its location on the sentencing grid block, shall have a presumptive sentence of imprisonment.

(f) No prosecution for any crime under this act may be commenced more than five years after the alleged violation. A prosecution is commenced when a complaint or information is filed, or an indictment returned, and a warrant thereon is delivered to the sheriff or other officer for execution, except that no prosecution shall be deemed to have been commenced if the warrant so issued is not executed without unreasonable delay.

(g) Nothing in this act limits the power of the state to punish any person for any conduct which constitutes a crime by statute.

Sec. 9. K.S.A. 9-2204 is hereby amended to read as follows: 9-2204. (a) Any person required to be licensed as a mortgage company pursuant to this act shall submit to the commissioner a separate application for the principal place of business and each branch office on forms prescribed and provided by the commissioner. The application or applications shall contain information the commissioner deems necessary to adequately identify:

(1) The nature of the mortgage business to be conducted, principal place of business address and each branch office address;

(2) the identity, character and qualifications of an individual applicant;

(3) the identity, character and qualifications of the loan originators, owners, officers, directors, members, partners and employees of the applicant;

(4) the name under which the applicant intends to conduct business; and

(5) other information the commissioner requires to evaluate the financial

responsibility and condition, character, qualifications and fitness of the applicant and compliance with the provisions of this act.

(b) Any individual required to register as a loan originator pursuant to this act shall submit to the commissioner an application for registration on forms prescribed and provided by the commissioner. The application shall contain information the commissioner deems necessary to adequately identify the location where the individual engages in mortgage business activities, the licensee for whom the registrant will conduct mortgage business and other information the commissioner requires to evaluate the condition, character, qualifications, and fitness of the applicant and compliance with the provisions of this act.

(c) Each application shall be accompanied by a nonrefundable fee of not less than \$50, which may be increased by rules and regulations pursuant to K.S.A. 9-2209, and amendments thereto.

(d) The commissioner shall consider an application for a license or registration abandoned if the applicant fails to complete the application within 60 days after the commissioner provides the applicant with written notice of the incomplete application. An applicant whose application is abandoned under this section may reapply to obtain a license or registration and shall pay the fee set forth in subsection (c) upon such application.

(e) An application shall be approved, and a nonassignable license or registration shall be issued to the applicant provided:

(1) The commissioner has received the complete application and fee required by this section;

(2) the commissioner determines the proposed name under which an applicant for a mortgage company license intends to conduct business is not misleading or otherwise deceptive; and

(3) the commissioner determines the financial responsibility and condition, character, qualifications and fitness of the applicant warrants a belief that the business of the applicant will be conducted competently, honestly, fairly and in accordance with all applicable state and federal laws.

Sec. 10. K.S.A. 2016 Supp. 9-2206 is hereby amended to read as follows: 9-2206.

(a) If the commissioner fails to issue a license or registration within 60 days or grant a renewal within 30 days after an application is deemed complete by the commissioner, the applicant may make written request for a hearing. The commissioner shall conduct a hearing in accordance with the Kansas administrative procedure act.

(b) If an application is considered abandoned pursuant to K.S.A. 9-2204, and amendments thereto, an applicant may make written request for a hearing. The commissioner shall conduct a hearing in accordance with the Kansas administrative procedure act.

Sec. 11. K.S.A. 2016 Supp. 9-2211 is hereby amended to read as follows: 9-2211.

(a) Each applicant or licensee who maintains a bona fide office shall file with the commissioner a surety bond in the amount of not less than \$50,000, in a form acceptable to the commissioner, issued by an insurance company authorized to conduct business in this state, securing the applicant's or licensee's faithful performance of all duties and obligations of a licensee meeting the following requirements:

(1) The bond shall be payable to the office of the state bank commissioner and shall be in an amount established by the commissioner by rules and regulations adopted

pursuant to K.S.A. 9-2209, and amendments thereto;

(2) the terms of the bond shall provide that it may not be terminated without 30 days prior written notice to the commissioner, provided that such termination shall not affect the surety's liability for violations of the Kansas mortgage business act occurring prior to the effective date of cancellation and principal and surety shall be and remain liable for a period of two years from the date of any action or inaction of principal that gives rise to a claim under the bond; and

(3) the bond shall be available for the recovery of expenses, fines and fees levied by the commissioner under this act, and for losses or damages which are determined by the commissioner to have been incurred by any borrower or consumer as a result of the applicant's or licensee's failure to comply with the requirements of this act.

(b) Each applicant or licensee who does not maintain a bona fide office shall comply with both of the following:

(1) File with the commissioner a surety bond in the amount of not less than \$100,000, in a form acceptable to the commissioner, issued by an insurance company authorized to conduct business in this state, securing the applicant's or licensee's faithful performance of all duties and obligations of a licensee meeting the requirements set forth in ~~paragraphs~~ ~~subsections~~ (a)(1), (a)(2) and (a)(3) of this ~~act~~ ~~section~~; and

(2) submit evidence that establishes, to the commissioner's satisfaction, that the applicant or licensee shall at all times maintain a minimum net worth of \$50,000. Evidence of net worth shall include the submission of a balance sheet of the applicant or a consolidated financial statement of the entity that owns or controls the applicant accompanied by a written statement by an independent certified public accountant attesting that the balance sheet or the consolidated financial statement has been reviewed in accordance with generally accepted accounting principles. Should the applicant or licensee choose a different accounting system other than generally accepted accounting principles, the burden to demonstrate that the accounting principles meet or exceed the generally accepted accounting principles shall be on the applicant or licensee using the alternate accounting principle method.

Sec. 12. K.S.A. 2016 Supp. 9-2216a is hereby amended to read as follows: 9-2216a. (a) Each licensee shall annually, on or before April 1, file a written report with the commissioner containing the information that the commissioner may reasonably require concerning the licensee's business and operations during the preceding calendar year. The report shall be made in the form prescribed by the commissioner, which may include reports filed with the nationwide mortgage licensing system and registry. Any licensee who fails to file the report required by this section with the commissioner by April 1 shall be subject to a late penalty of \$100 for each day after April 1 the report is delinquent, but in no event shall the aggregate of late penalties exceed \$5,000. The commissioner may relieve any licensee from the payment of any penalty, in whole or in part, for good cause. The filing of the annual written report required under this section shall satisfy any other reports required of a licensee under this act.

(b) Information contained in the annual report shall be confidential and may be published only in composite form. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.

Sec. 13. K.S.A. 2016 Supp. 50-1117 is hereby amended to read as follows: 50-1117. Definitions as used in this act: (a) "Commissioner" means the state bank commissioner or designee, who shall be the deputy commissioner of the consumer and

mortgage lending division of the office of the state bank commissioner.

(b) "Consumer" means an individual who is a resident of this state.

(c) "Credit services organization" means a person who engages in, or holds out to the public as willing to engage in, the business of debt management services for a fee, compensation or gain, or in the expectation of a fee, compensation or gain.

(d) "Debt management service" means:

(1) Receiving or offering to receive funds from a consumer for the purpose of distributing the funds among such consumer's creditors in full or partial payment of such consumer's debts;

(2) improving or offering to improve a consumer's credit record, history-~~or~~, rating or score; or

(3) negotiating or offering to negotiate to defer or reduce a consumer's obligations with respect to credit extended by others.

(e) "Insolvent" means a person whose debts exceed their assets.

(f) "Law firm" means a lawyer or lawyers in a law partnership, professional corporation, sole proprietorship or other association authorized to practice law; or lawyers employed in a legal services organization or the legal department of a corporation or other organization.

(g) "Licensee" means a person who is licensed by the commissioner as a credit services organization.

(h) "Nationwide mortgage licensing system and registry" means a mortgage licensing system developed and maintained by the conference of state bank supervisors and the American association of residential mortgage regulators for the licensing and registration of licensed mortgage loan originators and other financial service providers.

(i) "Person" means any individual, corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity.

~~(h) "Related interest" means a person:~~

~~(1) With respect to an individual who is:~~

~~(A) The spouse of the individual;~~

~~(B) a brother, brother-in-law, sister, sister-in-law of the individual;~~

~~(C) an ancestor or lineal descendant of the individual or the individual's spouse; and~~

~~(D) any other relative, by blood, adoption or marriage, of the individual or such individual's spouse who shares the same residence with the individual.~~

~~(2) With respect to a corporation, partnership, association, unincorporated organization or other form of entity, however organized, including a nonprofit entity, which is:~~

~~(A) Directly or indirectly controlling, controlled by or under common control by a person; or~~

~~(B) an officer or director of a person or a person performing similar functions.~~

~~(i) "Registrant" means a person who is registered by the commissioner as a credit services organization.~~

(j) "Trust account" means an account established by the applicant or ~~registrant~~ licensee in a federally insured financial institution used to hold funds paid by consumers to a credit services organization for ~~disbursement to creditors of consumers that is designated as a trust account or other appropriate designation indicating the funds in the~~

account are:

(1) Not funds of the applicant or ~~registrant~~ licensee or its owners, officers or employees; and

(2) unavailable to creditors of the applicant or ~~registrant~~ licensee.

Sec. 14. K.S.A. 50-1118 is hereby amended to read as follows: 50-1118. (a) No person shall engage in, or hold such person out as willing to engage in any credit services organization business with a resident of this state without first obtaining registration licensing from the commissioner. Any person required to be ~~registered~~ licensed as a credit services organization shall submit to the commissioner an application for ~~registration licensing~~ on forms prescribed and provided by the commissioner. The application for registration licensing shall include:

(1) The applicant's name, business address, telephone number and website address, if any;

(2) the name and address of each owner, officer, director, member or partner of the applicant;

(3) a description of the ownership interest of any officer, director, member, partner, agent or employee of the applicant in any affiliate or subsidiary of the applicant or in any other entity that provides any service to the applicant or any consumer relating to the applicant's credit services organization business;

(4) a description of the applicant's consumer education program; and

(5) any other information the commissioner may deem necessary to evaluate the financial responsibility and condition, character, qualifications and fitness of the applicant.

(b) Each application for ~~registration licensing~~ shall be accompanied by a nonrefundable fee of ~~\$100 which shall be established by the commissioner through the adoption of rules and regulations. The amount of the registration fee may be increased by rules and regulations adopted by the commissioner.~~

(c) The application shall be approved and a nontransferable and non-assignable registration license shall be issued to the applicant provided:

(1) The commissioner has received the complete application and fee required by this section; and

(2) the commissioner determines the financial responsibility and condition, character, qualifications and fitness of the applicant warrants a belief ~~that~~ the business of the applicant will be conducted competently, honestly, fairly and in accordance with all applicable state and federal laws.

(d) Each credit services organization ~~registration license~~ issued under this section shall expire on ~~June~~ April 30 of each year. A registration license shall be renewed by filing with the commissioner, at least 30 days prior to the expiration of the ~~registration license~~, a complete renewal application, containing information the commissioner requires to determine the existence and effect of any material changes from the information contained in the applicant's original application, annual reports or prior renewal applications. Each renewal shall be accompanied by a nonrefundable renewal fee which shall be established by rules and regulations of the commissioner.

(e) If the commissioner fails to issue a registration license within 60 days after a filed application is deemed complete by the commissioner, the applicant may make written request for hearing. The commissioner shall conduct a hearing in accordance with the Kansas administrative procedure act.

Sec. 15. K.S.A. 50-1119 is hereby amended to read as follows: 50-1119. Each applicant or ~~registrant licensee~~ shall file with the commissioner a surety bond in a form acceptable to the commissioner. The surety bond shall be issued by a surety or insurance company authorized to conduct business in this state, securing the applicant's or ~~registrant's licensee's~~ faithful performance of all duties and obligations of a ~~registrant licensee~~. The surety bond shall:

- (a) Be payable to the office of the state bank commissioner;
- (b) provide that the bond may not be terminated without 30 days prior written notice to the commissioner, and that such termination shall not affect the surety's liability for violations of the Kansas credit services organization act occurring prior to the effective date of cancellation, and principal and surety shall be and remain liable for a period of two years from the date of any action or inaction of principal that gives rise to a claim under the bond;
- (c) provide that the bond shall not expire for two years after the date of surrender, revocation or expiration of the applicant's or ~~registrant's registration licensee's license~~, whichever shall first occur;
- (d) be available for:
 - (1) The recovery of expenses, fines and fees levied by the commissioner under this act; and
 - (2) payment of losses or damages which are determined by the commissioner to have been incurred by any consumer as a result of the applicant's or ~~registrant's licensee's~~ failure to comply with the requirements of this act; and
- (e) the amount of the bond shall be \$25,000. The amount of the bond may be increased up to \$1,000,000, as further defined by rules and regulations adopted by the commissioner.

Sec. 16. K.S.A. 50-1120 is hereby amended to read as follows: 50-1120. No ~~credit services organization person required to be licensed by this act~~ shall engage in debt management services unless:

- (a) The ~~registrant provides licensee has provided~~ the consumer with a credit education program designed to improve the financial literacy of the consumer.
- (b) The ~~registrant licensee~~ has:
 - (1) (A) Taken reasonable steps to identify all creditors of a consumer; and
 - (B) prepared and provided to the consumer a written financial analysis of ~~and an~~ initial budget plan for all of the consumer's debt obligations which indicates the consumer can reasonably meet the requirements set forth in the budget plan; ~~and. For purposes of the initial budget plan, the licensee shall include all outstanding debt obligations as listed on the consumer's credit report as well as any debt obligations identified by the consumer; and~~
 - (2) provided to the consumer a list of each creditor the ~~registrant licensee~~ reasonably expects:
 - (A) To participate in the ~~plan debt management services agreement~~; and
 - (B) not to participate in the ~~plan debt management services agreement~~.
- (c) The ~~registrant licensee~~ and the consumer have entered into a written debt management services agreement and a copy of the signed agreement has been provided to the consumer by the ~~registrant licensee~~. Such agreement shall be in at least 12 point type, signed and dated by the consumer and ~~registrant licensee~~ and include:
 - (1) The full legal name, doing business as "dba" name, address; and phone number

of the consumer and the registrant licensee;

(2) the name, address and phone number of the consumer;

(3) a description of the debt management services to be provided to the consumer and an itemization of any fees to be charged to the consumer;

(4) a notice of the consumer's right to rescind the debt management services agreement at any time by giving written notice of rescission to the registrant licensee;

(5) a schedule of payments, including the amount and due date of each payment, that the consumer must make to the registrant licensee for disbursement to such consumer's creditors;

(6) a list of each participating creditor of the consumer to which payments will be made by the registrant licensee under the debt management services agreement. The listing shall include the:

(A) Amount owed to each creditor;

(B) amount of each payment;

(C) date on which each payment will be made; and

(D) anticipated payoff date for each creditor;

(7) the name of each creditor that the registrant licensee reasonably expects not to participate in the debt management plan services agreement;

(8) a disclosure that the registrant licensee also may receive compensation from the consumer's creditors for providing debt management services to the consumer;

(9) a disclosure that the registrant licensee may not, as a condition of entering into a debt management services agreement, require a consumer to purchase any other product or service, nor solicit or offer to sell any other product or service to the consumer during the term of the debt management services agreement;

(10) a disclosure that the registrant licensee may not require a voluntary contribution from a consumer for any service provided by the registrant licensee to the consumer;

(11) a disclosure that, by executing the debt management services agreement, the consumer authorizes any financial institution in which the registrant licensee has established a trust account for the deposit of the consumer's funds to disclose to the commissioner any financial records relating to the trust account during the course of any investigation or examination by the commissioner; and

(12) the following a notice substantially similar to the following: "The Kansas Office of the State Bank Commissioner ~~will accept~~ accepts questions and complaints from consumers regarding (name and registration license number of registrant licensee) at 700 SW Jackson, Suite 300, Topeka, Kansas, 66603, or by calling toll-free 1-877-387-8523".

(d) All solicitations and published advertisements concerning a credit services organization directed at Kansas residents, including those on the internet or by other electronic means, shall contain the name and license number of the licensee on record with the commissioner. Each licensee shall maintain a record of all solicitations or advertisements for a period of 36 months. For purposes of this subsection, "advertising" does not include business cards or promotional items.

(e) No solicitation or advertisement shall contain false, misleading or deceptive information.

(f) No licensee shall conduct credit services organization business in this state using any name other than the name or names stated on its license.

Sec. 17. K.S.A. 50-1121 is hereby amended to read as follows: 50-1121. No person required to be ~~registered~~ licensed under this act shall: (a) Delay payment of a consumer's debt for the purpose of increasing interest, costs, fees or charges payable by the consumer.

(b) Make any misrepresentation of any material fact or false promise ~~intended~~ to:

(1) Influence, persuade or induce a consumer to enter into a debt management services agreement; or

(2) cause or contribute to any misrepresentation by any other person acting on such person's behalf.

(c) Make or use any false or misleading representation in the offer or sale of the services of a debt management services agreement or credit services organization business, ~~including, but not limited to, guaranteeing to "erase bad credit" or words to that effect unless the representation clearly discloses that guaranteed action can be done only if the consumer's credit history is inaccurate or obsolete.~~

(d) Engage, directly or indirectly, in any fraudulent or deceptive act, practice or course of business in connection with the offer or sale of the services of a credit services organization.

(e) Make, or advise a consumer to make, any statement with respect to a consumer's credit worthiness, credit standing or credit capacity that is false or misleading, or that should be known by the exercise of reasonable care to be false or misleading, to a consumer reporting agency or to a person who has extended credit to a consumer or to whom a consumer is applying for an extension of credit.

(f) Advertise or cause to be advertised, ~~in any manner whatsoever,~~ the services of a credit services organization to Kansas consumers without first obtaining proper registration licensure from the commissioner.

(g) Receive compensation for rendering debt management services where the person has otherwise acted as a creditor for the consumer.

(h) Transfer, assign or attempt to transfer or assign, a ~~registration~~ license to any other person.

(i) Conduct credit services organization activities using any name other than the name or names approved by the commissioner.

(j) Operate as a collection agency.

(k) Receive or charge any fee in the form of a promissory note or other promise to pay.

(l) Accept or receive any reward, bonus, premium, commission or any other consideration for referring a consumer to any person ~~or related interest.~~

(m) Give a reward, bonus, premium, commission or any other consideration for the referral of a consumer to the registrant's licensee's credit services organization business and charge the consumer for the amount.

(n) Lend money or provide credit to a consumer.

(o) Obtain a mortgage or other security interest in real or personal property owned by a consumer.

(p) Structure a debt management services agreement in any manner that would result in a negative amortization of any of the consumer's debts.

(q) Charge for or provide credit insurance.

(r) Purchase any debt or obligation of a consumer.

(s) Use any communication which simulates in any manner a legal or judicial

process, or which gives the false appearance of being authorized, issued or approved by a government, governmental agency or attorney-at-law.

(t) While operating as a ~~registrant licensee~~, or a director, manager or officer of such ~~registrant or any related interest of such registrant licensee~~, be a director, manager, officer, ~~or owner or related interest~~ of any creditor or a subsidiary of any such creditor, that is receiving or will receive payments from the ~~registrant licensee~~ on behalf of a consumer with whom the ~~registrant licensee~~ has entered into a debt management services agreement.

(u) Attempt to cause a consumer to waive or agree to forego rights or benefits under this act.

Sec. 18. K.S.A. 50-1122 is hereby amended to read as follows: 50-1122. (a) Within four calendar days after receipt of any funds paid to the ~~registrant licensee~~ by or on behalf of a consumer for disbursement to such consumer's creditors, a ~~registrant licensee~~ shall deposit such funds in a trust account established for the benefit of consumers.

(b) A ~~registrant licensee~~ shall:

(1) Maintain separate records of account for each consumer to whom the ~~registrant licensee~~ provides debt management services;

(2) disburse any funds paid by or on behalf of a consumer to such consumer's creditors within ~~10~~ 20 calendar days after receipt of such funds or the latest date before the consumer would incur any fee, charge or penalty due to delay in payment;

(3) correct any misdirected payments resulting from an error by the ~~registrant licensee~~;

(4) reimburse the consumer for any actual fees or other charges imposed by a creditor as a result of the misdirection; and

(5) disburse a consumer's funds from the trust account only to such consumer's creditors or back to the consumer.

(c) If a consumer rescinds the debt management services agreement, all funds held in the trust account on behalf of such consumer shall be refunded to the consumer within 10 calendar days from receipt of rescission by the ~~registrant licensee~~.

(d) A ~~registrant licensee~~ shall not commingle any trust account established for the benefit of consumers with any operating accounts of the ~~registrant or its related interests licensee~~.

Sec. 19. K.S.A. 50-1123 is hereby amended to read as follows: 50-1123. A ~~registrant licensee~~ shall provide a report at least once every three months to each consumer who has entered into a debt management services agreement with the ~~registrant licensee~~. The report shall include the:

(a) Total amount received from the consumer to date;

(b) total amount paid to each creditor to date;

(c) total payoff amount ~~any or an estimated balance due to each creditor has agreed to accept as payment in full~~ on any debt owed by the consumer;

(d) ~~any~~ fees paid to the ~~registrant licensee~~ by the consumer; and

(e) ~~any~~ amount held in the trust account on behalf of the consumer, or statement that no amount is currently held.

Sec. 20. K.S.A. 50-1124 is hereby amended to read as follows: 50-1124. (a) ~~(1)~~ On or before ~~March~~ April 1, of each year, each ~~registrant licensee~~ shall file with the commissioner an annual report relating to credit services organization business

conducted by the ~~registrant licensee~~ during the preceding calendar year. The annual report shall be on a form prescribed by the commissioner.

~~(2) The information contained in the annual report shall be confidential and may be published only in composite form. The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts the provision prior to July 1, 2022.~~

(b) Within 15 calendar days ~~after the occurrence~~ of any of the following events, a ~~registrant licensee~~ shall file a written report with the commissioner describing the event and its expected impact on the ~~registrant's licensee's~~ business:

- (1) The filing for bankruptcy or reorganization by the ~~registrant licensee~~;
- (2) the institution of a revocation, suspension or other proceeding against the ~~registrant licensee~~ by a governmental authority that is related to the ~~registrant's licensee's~~ credit services organization business in any state; ~~and~~
- (3) a felony conviction of the ~~registrant licensee~~ or any of its owners, officers, principals, directors, partners, members or debt management counselors;
- (4) ~~a change in the licensee's name or legal entity status; and~~
- (5) ~~the addition or loss of any owner, officer, partner or director.~~

(c) If a ~~registrant licensee~~ fails to make any report required by this section to the commissioner, the commissioner may require the ~~registrant licensee~~ to pay a late penalty of \$100 for each day the report is overdue.

Sec. 21. K.S.A. 50-1125 is hereby amended to read as follows: 50-1125. (a) Each ~~registrant licensee~~ shall maintain and preserve complete and adequate business records including a general ledger containing all assets, liabilities, capital, income and expense accounts for a period of five years.

(b) Each ~~registrant licensee~~ shall maintain and preserve complete and adequate records of each debt management services agreement during the term of the agreement and for a period of five years from the date of cancellation or completion of the agreement with each consumer. Such records shall contain all consumer information including, but not limited to, the debt management services agreement and any extensions thereto, payments, disbursements, charges and correspondence.

(c) If the ~~registrant's licensee's~~ records are located outside this state, the ~~registrant licensee~~ shall provide the records to the commissioner within three calendar days or, at the commissioner's discretion, pay reasonable and necessary expenses for the commissioner or commissioner's designee to examine them at the place where they are maintained.

Sec. 22. K.S.A. 50-1126 is hereby amended to read as follows: 50-1126. (a) No ~~registrant licensee~~ shall impose any fees or other charges on a consumer, or receive any funds or other payments from a consumer or another person on behalf of a consumer:

- (1) Except as provided in ~~paragraph (5) of subsection (b)(5)~~, until after the ~~registrant licensee~~ and consumer have executed a debt management services agreement; and
- (2) except as allowed under this section, or as permitted by rule and regulation adopted by the commissioner.

(b) A ~~registrant licensee~~ may:

- (1) Charge a one-time consultation fee not exceeding ~~\$50~~ \$75. The cost of a credit report on a consumer shall be paid from the consultation fee paid by the consumer;
- (2) charge and collect monthly the lesser of a total maintenance fee of ~~\$20~~ \$40 per month, or \$5 per month for each creditor of a consumer that is listed in the debt

management services agreement between the ~~registrant~~ licensee and the consumer;

(3) collect from or on behalf of a consumer the funds for disbursement to creditors that the consumer has agreed to pay to the ~~registrant~~ licensee under the debt management services agreement;

(4) accept a voluntary contribution from a consumer for a debt management service provided by the ~~registrant~~ licensee to the consumer if the aggregate amount of the voluntary contribution and any other fees received by the ~~registrant~~ licensee from the consumer does not exceed the total amount the ~~registrant~~ licensee is authorized to charge the consumer under paragraphs (1) and (2) of this subsection;

(5) charge the consumer, ~~if provided to the consumer, a reasonable fee, not to exceed \$50, for a providing reverse mortgage counseling, bankruptcy counseling, student loan counseling, other counseling session services authorized by the commissioner, an educational program, or materials and supplies if the consumer does not enter into a debt management services agreement with the registrant; and~~

(6) accept fee payments from a consumer's creditors for debt management services rendered to a consumer, provided the consumer's creditor does not assess the fee to the consumer;

(7) charge the consumer up to \$30 one time for each insufficient payment; and

(8) charge the consumer up to \$5 to process a payment made by the consumer to the credit services organization through electronic means, if authorized by the consumer. No charge shall be assessed where the consumer has agreed to make all scheduled payments by electronic means.

(c) A licensee may waive any of the fees permitted in subsections (b)(1) through (b)(8) if the licensee determines that the consumer is unable to pay the fees.

~~(e)(d)~~ No ~~registrant~~ licensee shall:

(1) Charge ~~a an~~ additional fee to a consumer, if the consumer enters into a debt management services agreement with the ~~registrant~~ licensee, to:

(A) Prepare a financial analysis or an initial budget plan for the consumer;

(B) counsel a consumer about debt management;

(C) provide a consumer with the consumer education program described in the ~~registrant's licensee's~~ application to engage in business as a credit services organization; or

(D) rescind a debt management services agreement.

(2) Require a voluntary contribution from a consumer for any service provided by the ~~registrant~~ licensee to the consumer.

(3) As a condition of entering into a debt management services agreement, require a consumer to purchase for a fee a counseling session, an educational program or materials and supplies.

(d) If a ~~registrant~~ licensee imposes any fee or other charge or receives any funds or other payments not authorized under this section, except as a result of an accidental and bona fide error:

(1) The debt management services agreement shall be void; and

(2) the ~~registrant~~ licensee shall return the amount of the unauthorized fees, charges, funds or payments to the consumer.

Sec. 23. K.S.A. 50-1127 is hereby amended to read as follows: 50-1127. The commissioner may deny, suspend, revoke or refuse to renew a ~~registration~~ license issued pursuant to this act, and amendments thereto, if the commissioner finds, after

notice and opportunity for a hearing conducted in accordance with the provisions of the Kansas administrative procedure act, that:

(a) The applicant or ~~registrant licensee~~ has repeatedly or willfully violated any provision of this act, any rule and regulation promulgated thereunder or any order lawfully issued by the commissioner pursuant to this act;

(b) the applicant or ~~registrant licensee~~ has failed to file and maintain the surety bond required under this act;

(c) the applicant or ~~registrant licensee~~ is insolvent;

(d) the applicant or ~~registrant licensee~~ has filed with the commissioner any document or statement containing any false representation of a material fact or omitting to state a material fact;

(e) the applicant, ~~registrant licensee~~ or any officer, director, member, owner, partner, principal or debt management counselor thereof has been convicted of any crime;

(f) the applicant or ~~registrant licensee~~ fails to keep and maintain sufficient records to permit an audit satisfactorily disclosing to the commissioner the applicant's or ~~registrant's licensee's~~ compliance with the provision of this act;

(g) the applicant, ~~registrant licensee~~ or an employee of the applicant or ~~registrant licensee~~ has been the subject of any disciplinary action by the commissioner or any other state or federal regulatory agency;

(h) a final judgment has been entered against the applicant or ~~registrant licensee~~ in a civil action and the commissioner finds the conduct on which the judgment is based indicates that it would be contrary to the public interest to permit such person to be ~~registered licensed~~;

(i) the applicant or ~~registrant licensee~~ has engaged in any deceptive business practice;

(j) facts or conditions exist which would have justified the denial of the ~~registration license~~ or renewal had such facts or conditions existed or been known to exist at the time the application for ~~registration license~~ or renewal was made; or

(k) the applicant or ~~registrant licensee~~ has refused to furnish information required by the commissioner within a reasonable period of time as established by the commissioner.

Sec. 24. K.S.A. 50-1128 is hereby amended to read as follows: 50-1128. This act shall be administered by the commissioner. In addition to other powers granted by this act, the commissioner, within the limitations provided by law, may exercise the following powers:

(a) Adopt, amend and revoke rules and regulations as necessary to carry out the intent and purpose of this act.

(b) Make any investigation and examination of the ~~registrant's~~ operations, books and records of a credit services organization, as the commissioner deems necessary:

~~(1) For the protection of the public;~~

~~(2) to determine whether any registration should be granted, denied or revoked;~~

~~(3) to determine whether any person has violated or is about to violate any provision of this act, any rule and regulation promulgated thereunder or any order issued thereunder; or~~

~~(4) to aid in the enforcement of this act.~~

~~(e)(1) For examination purposes—The commissioner, or the commissioner's~~

designee, shall have free and reasonable access to the offices, places of business and all records of the ~~registrant and the registrant's related interests~~ licensee that relate to the debt management or credit services organization business. The commissioner may designate persons, including comparable officials of the state in which the records are located, to inspect the records on the commissioner's behalf.

~~(d)(2)~~ The commissioner may charge reasonable costs, including a per diem and actual travel and lodging expenses, of investigation, administration or examination to be paid by the applicant or registrant under investigation, examination or requiring administrative action, and of investigation, examination and administration of this act, to be paid by the applicant or licensee, in such amounts as the commissioner may determine to be sufficient to meet the budget requirements of the commissioner for each fiscal year. The commissioner may maintain an action in any court to recover such costs.

~~(e)(c)~~ To order any ~~registrant~~ licensee or person to cease any activity or practice which the commissioner deems to be deceptive, dishonest, or a violation of this act, or of other state or federal law, or unduly harmful to the interests of the public.

~~(f)(d)(1)~~ Exchange any information regarding the administration of this act with any agency of the United States or any state which regulates the applicant or ~~registrant~~ licensee or administers statutes, rules and regulations or programs related to debt management or credit services organization laws.

(2) Examination reports and correspondence regarding such reports made by the commissioner or the commissioner's designees shall be confidential. The commissioner may release examination reports and correspondence regarding the reports in connection with a disciplinary proceeding conducted by the commissioner, a liquidation proceeding or a criminal investigation or proceeding. Additionally, the commissioner may furnish to federal or other state regulatory agencies or any officer or examiner thereof, a copy of any or all examination reports and correspondence regarding the reports made by the commissioner or the commissioner's designees. The provisions of this paragraph shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.

~~(g)(e)~~ Disclose to any person or entity that an applicant's or ~~registrant's~~ licensee's application or ~~registration~~ license has been denied, suspended, revoked or refused renewal.

~~(h)(f)~~ Require or permit any person to file a written statement, under oath or otherwise as the commissioner may direct, setting forth all the facts and circumstances concerning any apparent violation of this act, any rule and regulation promulgated hereunder, or any order issued pursuant to this act.

~~(i)(g)~~ Receive, as a condition in settlement of any investigation or examination, a payment designated for consumer education to be expended for such purpose as directed by the commissioner.

~~(j)(h)~~ Delegate the authority to sign any orders, official documents or papers issued under or related to this act to the deputy of consumer and mortgage lending in the office of the state bank commissioner.

~~(k)(i)~~ Require fingerprinting of any ~~registrant~~ licensee, agent acting on behalf of a ~~registrant~~ licensee or other person as deemed appropriate by the commissioner, or the commissioner's designee. The commissioner, or commissioner's designee, may submit such fingerprints to the Kansas bureau of investigation, federal bureau of investigation

or other law enforcement agency for the purposes of verifying the identity of such persons and obtaining records of their criminal arrests and convictions. For purposes of this section and in order to reduce the points of contact that the federal bureau of investigation may have to maintain with the individual states, the commissioner may use the nationwide mortgage licensing system and registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency.

(j) Use the nationwide mortgage licensing system and registry as a channeling agent for requesting and distributing information regarding credit services organization licensing to and from any source so directed by the commissioner.

(k) Establish relationships or contracts with the nationwide mortgage licensing system and registry or other entities to collect and maintain records and process transaction fees or other fees related to applicants, licensees or other persons subject to this act, and to take other such actions as may be reasonably necessary to participate in the nationwide mortgage licensing system and registry.

(l) Charge, establish and collect from ~~registrants~~ licensees such fees as are necessary and in such amounts as the commissioner may determine to be sufficient to meet the expense requirements of the commissioner in administering this act.

(m) Seize and distribute a ~~registrant's~~ licensee's trust account funds to protect consumers and the public interest.

(n) For the purpose of any examination, investigation or proceeding under this act, the commissioner or the commissioner's designee may administer oaths and affirmations, subpoena witnesses, compel such witnesses' attendance, adduce evidence and require the production of any matter which is relevant to the examination or investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of relevant information or items.

(o) To enter into any informal agreement with any person for a plan of action to address violations of this act. The adoption of an informal agreement authorized by this subsection shall not be subject to the provisions of the Kansas administrative procedure act or the Kansas judicial review act. Any informal agreement authorized by this subsection shall not be considered an order or other agency action, and shall be considered confidential examination material pursuant to K.S.A. 50-1128(d), and amendments thereto. All such examination material shall be confidential by law and privileged, shall not be subject to the open records act, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision prior to July 1, 2022.

(p) Issue, amend and revoke written administrative guidance documents in accordance with the applicable provisions of the Kansas administrative procedure act.

Sec. 25. K.S.A. 50-1129 is hereby amended to read as follows: 50-1129. (a) If the commissioner determines after notice and opportunity for a hearing pursuant to the Kansas administrative procedure act that any person has engaged, is engaging or is about to engage in any act or practice constituting a violation of any provision of this act or any rule and regulation promulgated or order issued thereunder, the commissioner by order may require any or all of the following:

(1) That the person cease and desist from the unlawful act or practice;
 (2) that the person pay a fine not to exceed \$10,000 per incident for the unlawful act or practice;

(3) if any person is found to have violated any provision of this act and such violation is committed against elder or disabled persons as defined in K.S.A. 50-676, and amendments thereto, the commissioner may impose an additional penalty not to exceed \$10,000 for each such violation, in addition to any civil penalty otherwise provided by law;

(4) issue an order requiring the person to pay restitution for any loss arising from the violation or requiring the person to disgorge any profits arising from the violation. Such order may include the assessment of interest not to exceed 8% per annum from the date of the violation;

(5) that the person take such affirmative action as in the judgment of the commissioner will carry out the purposes of this act; or

~~(4)(6)~~ that the person be barred from subsequently applying for ~~registration-licensure~~ under this act.

(b) If the commissioner makes written findings of fact that the public interest will be irreparably harmed by delay in issuing an order under subsection (a), the commissioner may issue an emergency cease and desist order.

(1) Such emergency order, even when not an order within the meaning of K.S.A. 77-502, and amendments thereto, shall be subject to the same procedures as an emergency order issued under K.S.A. 77-536, and amendments thereto.

(2) Upon the entry of such an emergency order, the commissioner shall promptly notify the person subject to the order that it has been entered, of the reasons, and that a hearing will be held upon written request by the person.

(3) If the person requests a hearing, or in the absence of any request, if the commissioner determines that a hearing should be held, the matter will be set for a hearing which shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Upon completion of the hearing the commissioner shall, by written findings of fact and conclusions of law vacate, modify or make permanent the emergency order.

(4) If no hearing is requested and none is ordered by the commissioner, the emergency order shall remain in effect until such order is modified or vacated by the commissioner.";

Also on page 15, in line 23, before "K.S.A" by inserting "K.S.A. 9-2204, 50-1118, 50-1119, 50-1120, 50-1121, 50-1122, 50-1123, 50-1124, 50-1125, 50-1126, 50-1127, 50-1128 and 50-1129 and"; also in line 23, after "Supp." by inserting "9-508, 9-509, 9-513a,"; also in line 23, by striking "and" and inserting a comma; also in line 23, after "9-1114" by inserting ", 9-2203, 9-2206, 9-2211, 9-2216a and 50-1117";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking "code" and inserting "certain acts under the administration of the state bank commissioner"; also in line 2, after "amending" by inserting "K.S.A. 9-2204, 50-1118, 50-1119, 50-1120, 50-1121, 50-1122, 50-1123, 50-1124, 50-1125, 50-1126, 50-1127, 50-1128 and 50-1129 and"; also in line 2, after "Supp." by inserting "9-508, 9-509, 9-513a,"; also in line 2, by striking "and" and inserting a comma; also in line 2, after "9-1114" by inserting ", 9-2203, 9-2206, 9-2211, 9-2216a and 50-1117"; and the bill be passed as

amended.

Committee on **Financial Institutions and Pensions** recommends **SB 65** be amended on page 1, in line 18, after the comma by inserting "notwithstanding provisions of the Kansas liquor control act to the contrary, "; in line 20, by striking "distributor or other"; also in line 20, after "licensee" by inserting "possessing a valid license issued pursuant to the Kansas liquor control act or to a licensee possessing a valid license issued pursuant to the club and drinking establishment act, "; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 154**, as amended by Senate Committee, be passed.

Committee on **Health and Human Services** recommends **SB 51** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 51," as follows:

"House Substitute for SENATE BILL NO. 51
By Committee on Health and Human Services

"AN ACT concerning controlled substances; the state board of pharmacy; relating to scheduling of controlled substance analogs, controlled substances and new drugs; emergency scheduling; amending K.S.A. 2016 Supp. 21-5701, 65-4101, 65-4102, 65-4105, 65-4107 and 65-4113 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 51** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2390, AN ACT concerning sales and compensating use tax; relating to exemptions, certain organizations that charge dues or membership fees; amending K.S.A. 2016 Supp. 79-3603 and repealing the existing section, by Committee on Taxation.

COMMUNICATIONS FROM STATE OFFICERS

From the Office of Governor Sam Brownback: Executive Order No. 17-01 for Regional Emergencies; Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Helgerson on Committee on K-12 Budget on March 14, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, March 15, 2017.

Journal of the House

FORTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 15, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 119 members present.

Reps. Brim, Helgerson, Kuether and Thimesch were excused on verified illness.

Rep. Seiwert was excused on legislative business.

Rep. Tarwater was excused on excused absence by the Speaker.

Prayer by guest chaplain, James Collins, pastor, First Southern Baptist Church, Ft. Scott, and guest of Rep Jacobs.

Heavenly Father, Almighty God,

It is great to be in a place where we can worship and honor You. For You are the reason that we are here. You gave us the muscular and mental ability and vision to rise up and be available to be in your presence. It is not by accident. We know, Oh Lord, that there is no place on earth we can go that will separate us from Your love, protection, provision, and peace. I ask you now, O God, to fill us with the sense of your presence and refresh us with your eternal power.

Now, as a citizen of Kansas, I come before you today on behalf of all of the citizens of this great State. Lord, Your Word tells us that we should pray for those in authority over us. So, we now pause to pray for our House of Representatives. They have, and they continue to lead with purpose, vision, and direction. We look to you as you guide them in their initiatives, their efforts, and their accomplishments. Help these leaders as they work to make Kansas a better place.

We thank You, O God, that You are with us. We ask you to continue to inspire and protect us. For Yours is the Kingdom, the power, and the glory forever and ever.

This I pray in Your Mighty Name, Jesus. Amen.

The Pledge of Allegiance was led by Rep. Powell.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Barker are spread upon the Journal:

It is my pleasure to welcome the Abilene High School Cowboys Wrestling Team to the House floor. The team recently won the Kansas State High School Activities Association Class 4A state championship. Each of the nine members of the team placed within the top six in their respective weight classes. The team was led by junior Trey Hoerner, who won the individual state championship in the 182-pound weight class. I am thrilled to recognize the team, along with Head Coach James Stout and his assistants, on their achievement.

Rep. Barker presented a framed House certificate to the wrestling team and their coaches.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Patton are spread upon the Journal:

Good morning colleagues! Today is Kansas Nonprofit Day at the Statehouse! We have volunteers and leaders representing more than twenty nonprofits in the Capitol today highlighting their organizations' mission-based work and the economic impact of nonprofits in Kansas.

One of these charitable organizations, the YMCA, has nearly fifty volunteers and staff advocates here from the ten Kansas YMCA associations located throughout the State.

The YMCA strengthens community and makes a difference in Kansas by focusing on three key areas: Youth Development, Healthy Living, and Social Responsibility. As the largest childcare provider in the State, the YMCA is investing in the future of our kids. I would like to take this moment to introduce to you some of our State's future leaders. Please help me welcome these YMCA preschoolers who attend preschool just down the street at the Early Learning Center at the Downtown Branch of the Greater Topeka YMCA, their Child Care Director, DeeDee Reedy, and the other students and volunteers in the balcony.

The YMCA would like to invite all legislators to their showcase booth on the 2nd floor of the rotunda where you can have your blood pressure checked or engage in a STEM activity, making paper airplanes out of alphabet letters, with the Topeka YMCA preschoolers.

In addition, all legislators are welcome to join the YMCA and the other Kansas nonprofits today at a networking reception from 5-7pm at the Dillon House.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2391, AN ACT concerning driving; relating to driving under the influence and other driving offenses; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions; amending K.S.A. 2016 Supp. 8-

1015, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4516e, 21-6614g and 21-6614h, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2389**.

Taxation: **HB 2390**.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5012**.

In accordance with **HCR 5012**, the Senate announces the appointments of Senator Wilborn and Senator Haley to escort the Supreme Court for the purpose of hearing a message on the State of the Judiciary.

In accordance with **HCR 5012**, providing for a joint session for the purpose of hearing a message from the Supreme Court, Speaker pro tem Schwab appointed Reps. Johnson, Waymaster and Terrell to escort the Senate; Reps. Barker, Campbell and Hodge to escort the Supreme Court.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Dietrich, **HR 6021**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6021**—

By Reps. Aurand, Alcala, Arnberger, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Clark, Clayton, Corbet, Cox, Crum, Deere, DeGraaf, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Garber, Gartner, Good, Highberger, Highland, Hineman, Hoffman, Holscher, Humphries, Jennings, Judd-Jenkins, Karleskint, Kessinger, Koesten, Kuether, Lewis, Lusk, Markley, Mastroni, Murnan, Neighbor, Orr, Osterman, Parker, Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Smith, Stogsdill, Sutton, Swanson, Tarwater, Terrell, Trimmer, Vickrey, Weigel and Wilson,

HR 6021—A RESOLUTION congratulating and commending the 2017 Kansas Master Teachers.

WHEREAS, Seven of Kansas' best teachers have been selected as Kansas Master Teachers for 2017. These seven outstanding educators will be honored on Wednesday, April 5, with a day of receptions, seminars and tours at the sponsoring institution, Emporia State University; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2017 winners; and

WHEREAS, The 2017 Kansas Master Teachers are: Brandy Lane, a sixth grade teacher at Pauline South Intermediate School in Wakarusa; Kimberly Hett, a fifth grade

teacher at Andover eCademy in Andover; Jennifer Hendrix, a physics teacher at Dodge City High School in Dodge City; Laura Schwinn, an A/V communications teacher at Emporia High School in Emporia; Joan Hayden, a physical education teacher at Fort Riley Middle School in Fort Riley; Melinda Eitel, a kindergarten teacher at Grace E. Stewart Elementary School in Salina; and John Butcher, an art teacher at Blue Valley Northwest High School in Overland Park; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1953. The awards are presented annually to teachers who have served the profession long and well and who also exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher Awards. In 1984, the Black family of Broken Arrow, Oklahoma, established an endowed chair for Kansas Master Teachers. The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester where they present to classes of education students; and

WHEREAS, The members of the Kansas House of Representatives recognize the invaluable contributions of great teachers such as those being honored today. These 2017 Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration, as well as instruction. They teach with heart and soul, and by giving the best of themselves, they encourage students to give their best in return: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the 2017 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas; and

Be it further resolved: That we offer heartfelt thanks to these extraordinary educators who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their jobs, and we extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send seven enrolled copies of this resolution to Representative Aurand.

There being no objection, the following remarks of Rep. Dietrich are spread upon the Journal:

It is my honor, on behalf of the 490,000 students in our public school classrooms in this great state of Kansas and the House Education Committee, to introduce to you some truly outstanding teachers who are masters of their craft. “Master” is the operative word here.

These 7 teachers standing before you know how to create an exceptional learning experience for students to carry with them throughout their lives. They are outstanding teacher leaders in their buildings, they are admired for their unique and innovative classroom instruction, and they are fully engaged in their communities.

Emporia State University established the Kansas Master Teacher awards in 1954. The awards are presented annually to teachers who have served the profession long and well and are simply the “best of the best”.

These are remarkable educators who love what they do and are passionate about making a positive difference in the lives of their students.

Mr. Speaker and fellow Representatives, I present to you the 2017 Kansas Master

Teachers of the Year.

It is my honor to introduce the Kansas Master Teachers to you who are from all across our state.

With us today we have:

John Butcher, an art teacher at Blue Valley Northwest High School in Overland Park
Melinda Eitel, a kindergarten teacher at Grace E. Steward Elementary School in Salina

Joan Hayden, a physical education teacher at Fort Riley Middle School
Jennifer Hendrix, a physics teacher at Dodge City High School in Dodge City
Kimberly Hett, a 5th grade teacher for Andover eCademy in Andover
Brandy Lane, a 6th grade teacher at Pauline South Intermediate School in Topeka
Laura Schwinn, Audio/Video Communications teacher at Emporia High School in Emporia

Please join me in recognizing these exceptional teachers one more time.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. DeGraaf, **HR 6022**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6022—

By Representatives DeGraaf, Alford, Baker, Barker, Blex, Brim, Carpenter, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Garber, Gartner, Highland, Hineman, Hoffman, Humphries, Jacobs, Jones, Karleskint, Kessinger, Lakin, Landwehr, Lewis, Mason, Ohaebosim, Orr, Osterman, Patton, Pittman, Powell, Proehl, Rafie, Resman, Rooker, Ryckman, Schroeder, Seiwert, A. Smith, E. Smith, Tarwater, Waymaster, Whitmer and Williams

HR 6022—A RESOLUTION commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

WHEREAS, There are hosts of ministers, pastors, priests and rabbis serving throughout Kansas; and

WHEREAS, They produce God-honoring and prosperous families that help nurture the hearts of future generations; and

WHEREAS, They preach and teach in ways that impact and enrich lives and lead many to live more fulfilling lives; and

WHEREAS, As shepherds, tasked with protecting their flocks, they correct wrongs, reflect justice and seek fairness in organizations, families and government; and

WHEREAS, They provide creative approaches to challenges, which result in better life practices; and

WHEREAS, They pioneer the creation of new programs, policies and services; and

WHEREAS, They help cultivate people's strengths and challenge them to step up and step out in their communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend our ministers, pastors, priests and rabbis for their leadership in villages, cities, counties and our state and their priceless commitment to improving lives. We

thank God for each of them; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative DeGraaf.

Rep. DeGraaf recognized ministers, pastors, priests and rabbis of Kansas and welcomed them to the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2162, AN ACT concerning sales taxation; relating to time for payment of tax; amending K.S.A. 2016 Supp. 79-3607 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Hibbard, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Helgerson, Kuether, Seiwert, Tarwater, Thimesch.

The bill passed, as amended.

HB 2168, AN ACT concerning rural economic development; enacting the ad astra rural jobs act, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 22; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Blex, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Hibbard, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Smith, A., Smith, E., S. Swanson, Terrell,

Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Averkamp, Bishop, Carmichael, Crum, S., DeGraaf, Esau, Garber, Henderson, Highberger, Highland, Lusk, Miller, Ohaebosim, Ousley, Parker, R. Powell, Ruiz, Sloan, Stogsdill, Sutton, Winn.

Present but not voting: None.

Absent or not voting: Brim, Helgerson, Kuether, Seiwert, Tarwater, Thimesch.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I reluctantly vote No on **HB 2168**. I believe that the state has a responsibility to encourage economic development in rural areas, but I believe that this bill needs further review to ensure that it accomplishes its goals. Specifically, it appears to me that the tax credits issued under this bill could be used to offset the tax liability of an affiliate of an investment company regardless of whether the company itself successfully creates rural jobs. I think it is telling that the primary proponent of the bill was a venture capitalist, while our Department of Commerce stayed silent. – DENNIS “BOOG” HIGHBERGER

MR. SPEAKER: I vote No on **HB 2168**. I applaud the effort to attract businesses to our smaller communities, but this is not the way. We should help our existing businesses grow by ensuring they have access to high speed internet, employee job training programs and health care providers. Providing tax credits to new businesses will not be successful, if four years of no income tax liabilities for many businesses has not resulted in businesses locating in rural Kansas. – TOM SLOAN

MR. SPEAKER: I vote No on **HB 2168**. I sincerely hope this bill fulfills its laudable purpose and does not result in the victimization of Kansas businesses by out-of-state venture capital companies. – JOHN CARMICHAEL

HB 2228, AN ACT concerning property taxation; relating to exemptions; allowing county appraisers to exempt certain property without order from the board of tax appeals; amending K.S.A. 2016 Supp. 79-213 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker,

Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Helgerson, Kuether, Seiwert, Tarwater, Thimesch.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Esau in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Esau, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **SB 42** be adopted; and **H Sub for SB 42** be passed.

Committee report to **SB 32** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2273** be passed.

Committee on **Federal and State Affairs** recommends **HB 2280** be passed.

Committee on **Government, Technology and Security** recommends **HB 2331** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2331," as follows:

"Substitute for HOUSE BILL NO. 2331

By Committee on Government, Technology and Security

"AN ACT concerning information systems and communications; creating the representative Jim Morrison cybersecurity act; relating to digital information security for Kansas executive branch agencies; establishing the Kansas information security office; establishing the cybersecurity state fund and cybersecurity state grant fund in the state treasury; creating the Kansas information technology enterprise; relating to consolidation and transfer of certain executive branch information technology staff, resources, functions and powers; amending K.S.A. 2016 Supp. 12-5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-3707e, 75-4701, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-4705, 75-4709, 75-4718, 75-4719, 75-6512, 75-7201, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-4702 and 75-4702c.";

And the substitute bill be passed.

(**Sub HB 2331** was thereupon introduced and read by title.)

Committee on **Health and Human Services** recommends **SB 68**, as amended by Senate Committee, be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2392, AN ACT repealing K.S.A. 74-5055, 74-5056 and 74-5057; repealing the local government infrastructure improvement projects loan program; abolishing the Kansas partnership fund, by Committee on Appropriations.

HB 2393, AN ACT concerning hazardous material endorsements on commercial driver's licenses; abolishing the hazmat fee fund; amending K.S.A. 2016 Supp. 8-267 and 8-2,151 and repealing the existing sections, by Committee on Appropriations.

HB 2394, AN ACT concerning special revenue funds; abolishing the judiciary technology fund, access to justice fund, KAN-ED fund and ROTC service scholarship program fund; credits, transfers and liabilities; amending K.S.A. 74-3256 and 74-3260a and K.S.A. 2016 Supp. 66-2010 and repealing the existing sections; also repealing K.S.A. 20-1a12 and K.S.A. 2016 Supp. 20-166 and 75-7225, by Committee on Appropriations.

HB 2395, AN ACT concerning income taxation; relating to rates; amending K.S.A. 2016 Supp. 79-32,110 and repealing the existing section; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

MESSAGES FROM THE GOVERNOR

MESSAGE FROM THE GOVERNOR REGARDING COMPACT WITH TRIBAL NATION

In consultation with the Attorney General and the Department of Revenue, and pursuant to my authority under Article 1, Section 3 of the Constitution of the State of Kansas, I have entered into the following Compact:

- Compact Relating to Cigarette Sales, Taxation and Escrow Collection with the Sac and Fox Nation of Missouri in Kansas and Nebraska as of March 10, 2017.

I hereby give notice of this executive action and transmit the Compact to the Legislature for the required approval pursuant to applicable law.

Dated: March 14, 2017

SAM BROWNBACK
Governor of Kansas

**COMPACT RELATING TO CIGARETTE SALES, TAXATION
AND ESCROW COLLECTION**

Between

The Sac And Fox Nation Of Missouri In Kansas And Nebraska

and

The State Of Kansas

This Compact Relating to Cigarette Sales, Taxation and Escrow Collection (“Compact”) is entered into between the Sac And Fox Nation Of Missouri In Kansas And Nebraska (“Tribe”) and the State of Kansas (“State”) and its agencies. The Tribe and the State are collectively referred to as the “Parties.” The Parties agree as follows:

WHEREAS, the Tribe is a federally-recognized tribe with certain sovereign powers of self-government;

WHEREAS, the State is a state within the United States of America possessed of full powers of state government;

WHEREAS, the Tribe is situated on and occupies a federally-established Indian Reservation situated, in part, in the northeastern part of Kansas;

WHEREAS, federal law recognizes that tribal jurisdiction exists on Qualified Tribal Lands regarding the rights of an Indian Tribe to pass its own laws and be governed by them, including the right to levy taxes and regulate commerce;

WHEREAS, it is in the best interests of both the State and the Tribe to prevent disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes and other Tobacco Products, including but not limited to taxation and escrow collection, in the State of Kansas, on Compact Lands;

WHEREAS, on November 23, 1998, the State became party to the MSA;

WHEREAS, certain Tobacco Product Manufacturers, which are party to the MSA, are obligated, in return for a release of past, present and certain future claims against them as described therein, to pay substantial sums to State (tied in part to their volume of Sales); to fund a national foundation devoted to the interests of public health; and to make substantial changes in their advertising and marketing practices and corporate culture, with the intention of reducing underage smoking;

WHEREAS, it would be contrary to the policy of State if Tobacco Product Manufacturers who determine not to enter into such a settlement could use a resulting cost advantage to derive large, short-term profits in the years before liability may arise without ensuring that State will have an eventual source of recovery from them if they are proven to have acted culpably;

WHEREAS, the State entered into a Secondary Settlement Agreement with certain participating Tobacco Product Manufacturers in 2012 settling State's obligations under the MSA and disputes regarding certain payment adjustments under the MSA with respect to NPMs (as that term is defined below) for calendar years 2003-2012;

WHEREAS, as part of said Secondary Settlement Agreement, State has agreed to undertake certain diligent enforcement efforts of its Cigarette and other Tobacco Product laws and more specifically, its MSA laws on Qualified Tribal Lands within the borders of State;

WHEREAS, the Parties are of the opinion that cooperation between the Tribe and the State is mutually productive and beneficial;

WHEREAS, the State and the Tribe agree that it will serve the interests of both the State and the Tribe for the Tribe to be able to generate revenue for governmental purposes through the collection of certain Tribal taxes in accordance with this Compact and resolve their differences regarding the collection of escrow on certain Cigarettes Sold on Compact Lands;

WHEREAS, the Tribe has the authority pursuant to Article V of its Constitution to enter into agreements with the State and to enter into agreements for the economic benefit of the Tribe.

NOW THEREFORE, the State, as signed by the Governor and approved by the Kansas Legislature, and the Tribe, as approved by the Tribe's Tribal Council hereby enter into this Compact for the mutual benefit of the State and the Tribe, to-wit:

DEFINITIONS

"Business Day" shall mean any day that the governmental offices of the Tribe and State are open for business.

"Carton" shall mean a container of two hundred (200) Cigarettes, whether consisting of either eight or ten Packs.

"Cigarette" shall mean any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use and consists of or contains:

- (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco;
- (2) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, Consumers as a Cigarette; or
- (3) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is

likely to be offered to, or purchased by, Consumers as a Cigarette described in clause (1) above.

The term "Cigarette" includes "roll-your-own" (i.e., any tobacco which, because of its appearance, type, packaging or labeling is suitable for use and likely to be offered to, or purchased by, Consumers as tobacco for making Cigarettes). For purposes of this definition, 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "Cigarette."

"**Compact**" shall mean this agreement;

"**Compact Lands**" shall mean:

(1) Lands within the boundaries of the State of Kansas that are within the Tribe's Reservation as established in the treaty between the United States of America and the Tribe dated March 6, 1861 and ratified February 6, 1863; and

(2) The following lands once the Secretary of the Department of Interior has fully acquired such land into trust for the beneficial use of the Tribe as authorized in accordance with Section 5 of the Indian Reorganization Act, 25 USC 465 and under 25 CFR § 151.10:

(A) That part of the Southwest Quarter lying east of the present U.S. Highway No. 75 in Section 15, Township 4, Range 15, Brown County, Kansas;

(B) All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 9 in the City of Reserve, Brown County, Kansas;

(C) A tract of land located in the West One-Half of the Southeast One-Quarter of Section 12, Township 1 South, Range 16 East of the Sixth Principal Meridian, Brown County, Kansas, being more particularly described as follows: Beginning at the Center One-Quarter Corner of said Section 12, Thence N89°16'58"E and along the North line of said Southeast One-Quarter a distance of 1328.13 feet to the Northeast Corner of the West One-Half of said Southeast One-Quarter; Thence S00°13'17"E and along the East line of said West One-Half a distance of 1486.02 feet to the Northeasterly corner of US Highway 73 Right-of-Way as described in District Court Case 12794, Parcel 13; Thence Northwesterly and along the Northerly Right-of-Way of US Highway 73 the following three courses: 1. N56°10'27"W a distance of 801.62 feet; 2. N61°53'27"W a distance of 251.30 feet; 3. N56°02'27"W a distance of 535.70 feet to a point on the West line of said Southeast One-Quarter; Thence N00°10'27"W and along the West line of said Southeast One-Quarter a distance of 605.50 feet to the Point of Beginning, containing 31.83 acres. AND A tract of land located in the West One-Half of the Southeast One-Quarter of Section 12, Township 1 South, Range 16 East of the Sixth Principal Meridian, Brown County, Kansas, being more particularly described as follows: Beginning at the South One-Quarter Corner of said Section 12, Thence N00°10'27"W and along the West line of said Southeast One-Quarter a distance of

1840.94 feet to the Southwesterly corner of US Highway 73 Right-of-Way as described in District Court Case 12794, Parcel 13; Thence Southeasterly and along the Southerly Right-of-Way of US Highway 73 the following three courses: 1. S56°10'27"E a distance of 623.45 feet; 2. S50°14'51"E a distance of 352.14 feet; 3. S56°10'27"E a distance of 654.50 feet to a point on the East line of the West One-Half of said Southeast One-Quarter; Thence S00°13'17"E and along the East line of said West One-Half a distance of 887.43 feet to the Southeast Corner of said West One-Half of the Southeast One-Quarter; Thence S89°16'16"W and along the South line of said Southeast One-Quarter a distance of 1330.31 feet to the Point of Beginning, containing 41.63 acres. Said tracts containing a total of 73.46 acres;

(D) A parcel of land located in the Southwest One-Quarter of Section 7, Township 1 South, Range 17 East of the Sixth Principal Meridian, Brown County, Kansas, being more particularly described as follows: Beginning at the South One-Quarter Corner of said Section 7, Thence N89°38'42"W and along the South line of said Southwest One-Quarter a distance of 1563.87 feet to a point on the Easterly Right-of-Way of the Union Pacific Railroad; Thence Northerly and along the Easterly Right-of-Way of the Union Pacific Railroad the following three courses: 1. N06°27'57"W a distance of 1331.84 feet; 2. S89°39'01"E a distance of 50.36 feet; 3. N06°27'57"W a distance of 1331.82 feet to a point on the North line of said Southwest One-Quarter; Thence S89°39'20"E and along the North line of said Southwest One-Quarter a distance of 1798.84 feet; Thence S00°19'01"E a distance of 210.32 feet to a point on the centerline of Walnut Creek; Thence Southerly and along the centerline of Walnut Creek generally the following nine courses: 1. S16°39'07"W a distance of 74.67 feet; 2. S08°37'19"E a distance of 102.59 feet; 3. S71°28'24"W a distance of 85.07 feet; 4. S76°57'12"W a distance of 86.41 feet; 5. S17°24'59"W a distance of 85.60 feet; 6. S34°27'31"E a distance of 51.75 feet; 7. N65°20'21"E a distance of 49.67 feet; 8. N84°54'06"E a distance of 68.59 feet; 9. S57°01'48"E a distance of 66.38 feet to a point on the East line of said Southwest One-Quarter; Thence S00°19'01"E and along the East line of said Southwest One-Quarter a distance of 125.53 feet to a point on the centerline of Walnut Creek; Thence Southerly and along the centerline of Walnut Creek generally the following five courses: 1. S24°20'03"W a distance of 142.98 feet; 2. S06°00'48"E a distance of 114.90 feet; 3. S02°38'41"W a distance of 195.67 feet; 4. S13°43'53"E a distance of 133.11 feet; 5. S55°33'32"E a distance of 33.42 feet to a point on the East line of said Southwest One-Quarter; Thence S00°19'01"E a distance of 1368.10 feet to the Point of Beginning, containing 100.88 acres. AND A parcel of land located in the Southwest One-Quarter of Section 7, Township 1 South, Range 17 East of the Sixth Principal Meridian, Brown County, Kansas, being more particularly described as follows: Commencing at the Southwest Corner of said Section 7, Thence N00°16'06"W and along the West line of said Southwest One-Quarter a distance of 595.44 feet to the Point of Beginning, Thence N00°16'06"W and along the West line of said Southwest One-Quarter a distance of 726.99 feet; Thence S89°39'01"E a distance of 562.67 feet to a point on the Westerly Right-of-Way of the Union Pacific Railroad; Thence S06°27'57"E and along the Westerly Right-of-Way of the Union Pacific Railroad Right-of-Way a distance of 1289.15 feet to a point on the Northerly Right-of-Way of US Highway 73 as described in District Court Case 12794, Parcel 9; Thence Northwesterly and along the Northerly Right-of-Way of US Highway 73 the following two courses: 1.

N60°24'40"W a distance of 724.01 feet; 2. N13°59'07"W a distance of 173.61 feet; Thence N89°43'54"W a distance of 47.31 feet; Thence N00°16'06"W a distance of 75.00 feet; Thence S89°43'54"E a distance of 50.00 feet; Thence S00°16'06"E a distance of 63.99 feet; Thence N13°59'07"W and along the Northerly Right-of-Way of US Highway 73 a distance of 21.02 feet; Thence S89°45'14"W a distance of 25.02 feet to the Point of Beginning, containing 15.11 acres. Said tracts containing a total of 115.99 acres; and

(E) A tract of land located in the South One-Half of Government Lot 1, Located in the Northwest One-Quarter of Section 15, Township 4 South, Range 15 East of the Sixth Principal Meridian, Brown County, Kansas, being more particularly described as follows: Beginning at the West One-Quarter Corner of said Section 15, Thence N00°33'17"E and along the West line of said Lot 1 a distance of 1292.86 feet to a point 30.00 feet Southerly of the Northwest Corner of the South One-Half of said Lot 1; Thence S89°43'06"E parallel with and 30.00 feet Southerly of the North line of the South One-Half of said Lot 1 a distance of 320.22 feet to the Westerly Right-of-Way of US Highway 75; Thence Southerly and along the Westerly Right-of-Way of US Highway 75 the following five courses: 1. S00°40'04"W a distance of 554.21 feet; 2. S22°15'00"W a distance of 38.08 feet; 3. S00°40'04"W a distance of 30.00 feet; 4. S19°53'17"E a distance of 42.72 feet; 5. S00°40'04"W a distance of 633.40 feet to a point on the South line of said Government Lot 1; Thence N89°46'00"W and along the South line of said Lot 1 a distance of 317.80 feet to the Point of Beginning, containing 9.44 acres.

“Compact Licensed Distributor” shall mean any entity licensed under the Tribe’s law for distributing Cigarettes to Compact Licensed Retailers.

“Compact Licensed Retailer” shall mean any entity licensed under the Tribe’s law for the retail Sale of Cigarettes on Compact Lands.

“Consumer” shall mean the individual or entity purchasing or receiving Cigarettes or other Tobacco Products for final use.

“Escrow Statutes” shall mean Chapter 50, Article 6a of the Kansas Statutes Annotated.

“Indian Tribe” shall mean any Indian tribe, band, nation or other organized group or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under the laws of the United States.

“KDOR” shall mean the Kansas Department of Revenue.

“KSAG” shall mean the Office of the Attorney General of the State of Kansas.

“MSA” shall mean the settlement agreement (and related documents) entered into on November 23, 1998 by the State and leading United States Tobacco Product Manufacturers; provided, however, that such term does not include the Secondary

Settlement Agreement.

“**NPM**” shall have the meaning set forth for the term “Non-participating manufacturer” in K.S.A. § 50-6a07(g).

“**Pack**” shall mean one package of either twenty (20) or twenty-five (25) Cigarettes.

“**Parties**” or “**Party**” shall mean the State and the Tribe.

“**PM**” shall mean a “participating manufacturer” as that term is used in the Escrow Statutes.

“**Qualified Tribal Lands**” shall mean:

- (1) All land within the borders of the State that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of way running through such reservation;
- (2) all dependent Indian communities within the borders of the State;
- (3) all Indian allotments within the borders of the State, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments; and
- (4) any lands within the borders of the State, the title to which is either held in trust by the United States for the benefit of any Indian Tribe or individual, or held by any Indian Tribe or individual subject to restriction by the United States against alienation and over which an Indian Tribe exercises governmental power.

“**Sale**” (and any correlative term, such as “**Sell**,” “**Seller**,” or “**Sold**” shall have the correlative meaning) shall mean any sale, barter, trade, exchange, or other transfer of ownership for value of Cigarettes, no matter how characterized.

“**Secondary Settlement Agreement**” shall mean the 2003 NPM adjustment settlement agreement, which shall include the 2012 term sheet agreement, related to the MSA and to which State is a party.

“**State**” shall mean the State of Kansas, KDOR or KSAG used interchangeably.

“**Tribe**” or “**Tribal**” shall mean the Sac And Fox Nation Of Missouri In Kansas And Nebraska.

“**Tobacco Product Manufacturer**” shall mean an entity that after the Effective Date directly (and not exclusively through any affiliate):

- (1) manufactures Cigarettes anywhere that such manufacturer intends to be Sold in the United States, including Cigarettes intended to be Sold in the United States through an

importer;

(2) is the first purchaser anywhere for resale in the United States of Cigarettes manufactured anywhere that the manufacturer does not intend to be Sold in the United States; or

(3) becomes a successor of an entity described in paragraph (1) or (2).

The term “Tobacco Product Manufacturer” shall not include an affiliate of a Tobacco Product Manufacturer unless such affiliate itself falls within any of paragraphs (1) through (3) above. Solely for purposes of this definition, the term “affiliate” shall mean a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of the preceding sentence, the terms “owns,” “is owned” and “ownership” mean ownership of any equity interest, or the equivalent thereof, of 10% or more, and the term “person” means an individual, partnership, committee, association, corporation or any other organization or group of persons.

“**Units Sold**” shall mean, with respect to a particular Tobacco Product Manufacturer for a particular year, the number of individual Cigarettes Sold in the State, including, without limitation, any Cigarettes Sold on any qualified tribal land within the State, by the applicable Tobacco Product Manufacturer, whether directly or through a distributor, retailer, or similar intermediary or intermediaries, during the year in question, for which the State has the authority under federal law to impose excise or a similar tax or to collect escrow deposits, regardless of whether such taxes were imposed or collected by the State.

INTRODUCTION

1. The purpose of this Compact is to resolve disputes between the Parties regarding possession, transport, distribution, and Sale of Cigarettes, including but not limited to taxation and escrow collection, on the Qualified Tribal Lands of the Tribe. For the purposes of this Compact, only, and for no other purpose whatsoever, the State and the Tribe agree that the Tribe’s Treaties with the United States of America do not exempt, exclude or reserve the Tribe’s land from the boundaries of Kansas. For the purposes of this Compact only, and for no other purpose whatsoever, the Tribe’s Reservation and Qualified Tribal Lands are within the State of Kansas.

2. For purposes of this Compact, a Tribal-owned entity includes any entity wholly owned by the Tribe or any wholly-owned subsidiary of that entity. The Tribe shall provide the KSAG a list of all Tribal-owned entities relating in any way to manufacturing, handling, delivering, receiving, or Selling of Cigarettes on Compact Lands. The citation to any Kansas statute or regulation in this Compact refers to the version in effect on the date the Compact is executed by the Parties, unless the Parties specifically agree in writing to a modification of the Compact.

TERM

3. This Compact shall commence on July 1, 2017 (the “Effective Date”).
4. This Compact shall have a term of 10 years subject to automatic renewal absent a requested revision in writing by either Party or requested termination in writing by either Party with such notice occurring at least 60 days prior to the end of the term.
5. Either Party can revoke this Compact in writing at any time, provided the Parties have first attempted to resolve their differences. Before the revocation becomes effective, the revoking Party shall serve a written thirty (30) day notice of intent to revoke the Compact and thereafter schedule a meeting to discuss differences between the Parties with the option of continuing discussions beyond the thirty (30) days, upon joint written agreement of the Parties.

LICENSES

6. The Tribe will enact an ordinance or other statutory means for licensing Compact Licensed Distributors which will be authorized to purchase only:
 - (a) Unstamped Cigarettes from federally-licensed manufacturers or their federally-licensed direct importers, or
 - (b) Joint State-Tribal stamped Cigarettes from State stamping agents, licensed under K.S.A. § 79-3303.

Said Tribal license will authorize Compact Licensed Distributors to Sell Cigarettes only to Compact Licensed Retailers licensed under paragraph 7 below; retailers licensed by another tribe which has signed a Compact with the State; or retailers and distributors located in a State other than Kansas that are licensed by a federally-recognized Indian Tribe.

7. The Tribe will enact an ordinance or other statutory means to license retail Cigarette dealers in Compact Lands. The license will be required for the retail Sale of Cigarettes to Consumers in the Compact Lands. The license will permit Compact Licensed Retailers to only purchase, possess and Sell at retail:
 - (a) Cigarettes bearing a joint State-Tribal stamp, as set out in paragraphs 10-18 below, from the Compact Licensed Distributors, and
 - (b) Cigarettes bearing a State stamp from a State-licensed stamping agent.
8. The Tribe will inform the State in writing of the name and address of the licensees issued licenses pursuant to paragraphs 6 and 7 above. Any changes will be updated quarterly if necessary.

TAX

9. The Tribe will enact a Cigarette excise tax, which shall be applied equally to all Cigarettes Sold on the Tribe's Compact Lands regardless of manufacturer or brand, which shall be collected by the affixation of a joint State-Tribal tax stamp to each Pack of Cigarettes Sold on the Tribe's Compact Lands.

10. State and the Tribe agree that each Pack of Cigarettes that a Compact Licensed Retailer Sells on Compact Lands shall bear a joint State-Tribal tax stamp that will be designed jointly by the Tribe and State.

(a) Said stamp shall bear the name "S&F" and "KS" and a logo in a form and color mutually agreeable to both the Tribe and State;

(b) State shall cause said stamps to be produced at its sole expense;

(c) State shall provide said joint State-Tribal stamps to the Tribe who shall be responsible for providing said State-Tribal stamps to Compact Licensed Distributors which shall be affixed on all Cigarettes to be Sold by Compact Licensed Retailers on Compact Lands;

(d) Compact Licensed Distributors shall ship all Cigarettes bearing joint State-Tribal stamps to the Tribe or to a Compact Licensed Retailer at the expense of the Tribe, the Compact Licensed Distributor, or Compact Licensed Retailer. In no circumstance shall the cost of such shipping be paid by State.

11. Only Compact Licensed Distributors can collect Tribal taxes on Cigarettes and affix the joint State-Tribal tax stamps, provided that nothing in this paragraph or Compact shall be construed to limit licensing authority of a Tribal tax commission, agency, or other Tribal tax administration authority.

12. No State Cigarette taxes shall be owed or collected on Cigarettes stamped with the joint State-Tribal tax stamp and Sold on the Tribe's Compact Lands.

13. All Cigarettes Sold by Compact Licensed Retailers on the Tribe's Compact Lands will bear the joint State-Tribal tax stamp.

14. The Tribe's Cigarette excise tax shall be at a minimum \$0.17 per Pack of Cigarettes Sold at retail on Compact Lands.

15. Packs of Cigarettes stamped with the joint State-Tribal tax stamp shall be treated by the State the same as though stamped with the State's tax stamp for purposes of transport and Consumer use in the State outside of the Tribe's Compact Lands and for purposes of possession, distribution, Sale and Consumer use within the Tribe's Compact Lands.

16. Compact Licensed Distributors shall be responsible for affixing the joint State-Tribal tax stamp and paying the tax to the Tribe.

17. The cost of the tax shall be included in all retail Sales of Cigarettes on Compact Lands.

18. The State shall provide to the Tribe joint State-Tribal tax stamps within fifteen (15) days after the date requested and in sufficient amounts to ensure that the Tribe, Compact Licensed Distributors and Compact Licensed Retailers can meet Consumer demand for the purchase of Cigarettes.

CIGARETTE SALES

19. The Tribe, Compact Licensed Distributors, and Compact Licensed Retailers will maintain records of all Cigarette Sales made within its jurisdiction sufficient to prove the number of such Sales within Compact Lands.

20. State licensed distributors can Sell unstamped PM brands to Compact Licensed Distributors for stamping with the joint State-Tribal tax stamp and distribution within the Compact Lands.

21. Compact Licensed Distributors shall Sell to Compact Licensed Retailers only Packs of Cigarettes with the joint State-Tribal tax stamp affixed.

22. Compact Licensed Retailers shall Sell only Packs of Cigarettes with the joint State-Tribal tax stamp affixed on Compact Lands.

23. Compact Licensed Distributors shall Sell to Compact Licensed Retailers only brands of Cigarettes that are in compliance with the Escrow Statutes and the Kansas Fire Safety Standard and Firefighter Protection Act, K.S.A. § 31-601, *et seq.*, and listed as compliant brands in the Kansas directories of compliant manufacturers maintained by the KSAG pursuant to the Escrow Statutes.

24. Compact Licensed Retailers shall Sell on Compact Lands only brands of Cigarettes that are in compliance with the Escrow Statutes and the Kansas Fire Safety Standard and Firefighter Protection Act, K.S.A. § 31-601, *et seq.*, and listed as compliant brands in the Kansas directories of compliant manufacturers maintained by the KSAG pursuant to the Escrow Statutes.

25. Tobacco Product Manufacturers and first importers, as defined in the Escrow Statutes, shall be responsible for payment of escrow obligations to the State. Unless acting as a Tobacco Product Manufacturer or first importer, the Tribe is not taking on any obligation to deposit escrow nor is the Tribe required to otherwise satisfy any obligations under the Escrow Statutes unless specifically set forth herein.

PAYMENT TO TRIBE

26. The State acknowledges that the Tribe is incurring costs in its efforts to assist the State in ensuring compliance with State tobacco laws and the Secondary Settlement Agreement.

27. The State agrees to reimburse the Tribe for these costs in the amount of Seventy Thousand Dollars (\$70,000.00) for each quarter of the year, with payment to be made

on the last day of the quarter (March 31, June 30, September 30, and December 31) during the initial five (5) year term of the Compact. For the following five (5) years during the remaining term of the Compact, the quarterly payment amount shall be increased fifteen percent (15%), as a one-time only increase, over the quarterly payment amount payable during the immediately prior five (5) year period.

28. As provided in Section VII of the Memorandum of Understanding for Voluntary Compliance for Cigarette Sales and Reporting (the "MOU"), entered into between the Tribe and the State, with an effective date of January 1, 2017, for its full compliance with the terms of such MOU, the State agrees to a one-time payment to the Tribe in the amount of \$35,000 to be paid on July 1, 2017.

29. As additional consideration to reimburse the Tribe for economic cost incurred by the tribe in assisting the State in its ongoing diligent enforcement efforts under the MSA and the Secondary Settlement Agreement, the following shall be exempt from tax imposed by the Kansas Retailers' Sales Tax Act, K.S.A. 79-3601 *et. seq.* and amendments thereto: all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased by the Tribe or a Tribal-owned entity, and used exclusively for Tribal purposes.

GENERAL

30. Compact Licensed Distributors shall provide to the Tribe monthly a brand-specific list showing totals of all Cigarettes delivered to the Tribe and Compact Licensed Retailers for Sale on Compact Lands with the joint State-Tribal tax stamps affixed. The Tribe shall provide to the KDOR monthly a brand-specific list showing totals of all Cigarettes delivered to and Sold on the Tribe's Compact Lands with the joint State-Tribal tax stamp affixed, in a form and format agreed upon by the KDOR and the Tribe. This list for Sales during each calendar month shall be provided no later than 25 days after the end of the month. (For example, brands Sold during the month of January shall be listed and provided by February 25.)

31. The Parties agree that agents or employees of the Tribe and agents or employees of KSAG and/or KDOR will conduct joint inspections of Compact Licensed Retailers and Compact Licensed Distributors located on Compact Lands. In connection with any such joint inspection, the Tribe shall permit such agents or employees of the Tribe and agents or employees of KSAG and/or KDOR to review all documentation collected and maintained by the Tribe pursuant to this Compact.

The joint inspections shall be conducted using a method as agreed upon by the Parties, *provided, however*, such joint inspections shall not involve complete audits or complete inventories but shall be limited to random sample inspections of stock, tax indicia, and documentation on hand at the premises of a Compact Licensed Retailer or Compact Licensed Distributor, as applicable, for the purposes of verifying that all Cigarettes offered or intended for Sale by any Compact Licensed Retailer on Compact Lands (i) are solely brands of Tobacco Product Manufacturers meeting the requirements as provided in paragraphs 23 and 24, (ii) were acquired from a Compact Licensed

Distributor, and (iii) bear indicia of payment of excise tax to the extent required in this Compact. In any event, such joint inspections shall not be disruptive of the business operations nor damage any inventory of any Compact Licensed Retailer or Compact Licensed Distributor.

32. The State reserves the right hereunder to initiate and participate in up to twelve (12) joint inspections described in paragraph 31 per calendar year, with a limit of up to two (2) such joint inspection per calendar month; *provided, however*, that joint inspections of any one or more separate premises on the same Business Day shall only constitute one “joint inspection” for purposes of the preceding limitations; *provided, further*, that if the State and Tribe inspection team notes any violations of this Compact by one or more Compact Licensed Retailers or Compact Licensed Distributors during any such joint inspection, the State may initiate, by giving notice in accordance with paragraph 33, one follow-up joint inspection with the Tribe of all premises involved in such violations on a subsequent Business Day following the earlier of notice of completed cure related to such violations, with such follow-up joint inspection not counting against the monthly or annual limits set forth in this sentence.

33. The Tribe shall make its personnel available for joint inspections permitted hereunder on a Business Day between the hours of 9:00 a.m. and 4:30 p.m. upon prior email notice to the Tribe transmitted by a representative of the State by 10:00 a.m. one Business Day prior to the requested inspection. State representatives and Tribal representatives shall coordinate the details of the joint inspection by 3:00 p.m. on the day of such email notice. Any email notice provided to the Tribe pursuant to this section shall be given at tribaltax@sacandfoxcasino.com or by written notice.

34. Any Packs of Cigarettes found for Sale at a Compact Licensed Retailer during a permitted joint inspection that are not brands of Tobacco Product Manufacturers meeting the requirements as provided in paragraphs 23 and 24 or that do not bear indicia of payment of excise tax as required in this Compact shall be removed by the Tribe until the matter is resolved.

35. Tribe and State shall select a third party auditor (the “Auditor”) for purposes of verifying compliance with this Compact. For purposes of verifying compliance with this Compact, the parties agree to jointly retain said Auditor and shall each bear fifty percent (50%) of the costs of the auditing services. The Auditor must possess a valid Kansas Permit to Practice issued by the Kansas Board of Accountancy. The Tribe and State shall be entitled to freely communicate with the Auditor. The Auditor will review records on an annual calendar year basis and issue an annual report and certification as provided herein.

(a) Audit Protocol. To verify compliance with this Compact, the Auditor must adhere to the following protocol:

(b) Period Under Review. The Auditor must review records for the calendar year under audit and may review records for earlier years that are after the Effective Date but only as necessary for an internal reconciliation of the relevant books. Subject to the

foregoing, records relating to any period before the Effective Date are not open to review. In situations where the Auditor is responsible for verifying records on less than an annual basis, the period under review shall not include years previously reviewed by the Auditor, except when a violation is alleged to have occurred during the period previously reviewed.

(c) Records to be Examined. The Auditor must review records and invoices of stamp purchases, records and invoices of Sales of joint State-Tribal stamped Cigarettes, joint State-Tribal stamp inventory, the joint State-Tribal stamping process, products sold, product inventory records, and such additional records as are necessary to verify (1) the Units Sold (2) the retail selling price, including application of Tribal sales and excise taxes, and (3) procedures demonstrating the Tribe's compliance with this Compact, all with respect to Sales of Cigarettes on Compact Lands by the Tribe. In all situations, the Auditor is not responsible for examining, and shall not examine, records that do not relate to the stamping, Selling, or taxing activities of the Tribe on Compact Lands.

(d) Audit Report and Certification. After each annual audit, the Auditor shall issue an audit report and a certification, as further described below, with respect to compliance with this Compact. The annual audit report shall set forth the total Units Sold attributable to each Tobacco Product Manufacturer by the Tribe during the relevant period. The annual audit report shall also include a certified statement of the Auditor to the KSAG that the Auditor finds the Tribe to be in compliance with this Compact or else that the Tribe is in compliance except for specifically listed items that are explained in the annual report.

(e) Audit Schedule. Audit reviews shall take place following each calendar year (or portion thereof) during the term of this Compact, with an audit report submitted no later than April 1 following such calendar year.

(f) Joint Audit Implementation and Review. The Tribe and the State shall meet jointly with the Auditor prior to the beginning of each annual audit. The purpose of such meeting will be to discuss the objectives of the upcoming audit, the expectations of the Tribe and of the State, the standards to be used in such audit, and any issues regarding conduct of the audit, records pertinent to the audit or the contents of the Auditor's report. The Tribe and State agree that the report will audit the processes, controls and the supporting documentation of the Tribe's purchases and Sales of Cigarettes and tobacco products on Compact Lands using both Generally Accepted Auditing Standards and Generally Accepted Accounting Principles. Subsequent meetings before and during the audit may be held as required. As soon as practicable after the issuance of the Auditor's report and certification, the Tribe and the State may meet jointly with the Auditor as often as required to review the audit report and discuss any issue of concern. In the event that either the Tribe or the State disagrees with the Auditor's report or certification, or any audit finding contained therein, either Party may notify the other of the disagreement and follow the procedures for resolution of the disagreement in Article III, Paragraph 1 of this Compact.

36. All information, including but not limited to, any lists showing total Sales of Cigarettes in paragraphs 30 and 31, provided to the State shall be held in confidence and only shared with other states, agencies, or other third parties (to which the State has a legal obligation to share such information), solely for enforcement purposes or for establishing the State's compliance with the MSA, Secondary Settlement Agreement and Escrow Statutes. The State agrees to provide notice to the Tribe ten (10) days prior to the release of such information to any of the Parties listed in this paragraph. The State may not share this information with any other person without written consent from the Compact Licensed Distributor that provided the information. Such information shall further be specifically exempt from disclosure under the Kansas Open Records Act (K.S.A. 45-215 *et. seq.*).

37. During the Term of this Compact, State may enter into and be party to one or more compacts or other agreements regarding possession, transport, distribution, or Sale of Cigarettes or other Tobacco Products, including but not limited to taxation and escrow collection, with the Iowa Tribe of Kansas and Nebraska, the Kickapoo Tribe in Kansas or the Prairie Band Potawatomi Nation but State shall not enter into or be party to any such compact or agreement with any Indian Tribe other than the foregoing. The State agrees that Tribe may propose an amendment to this Compact by written notice to the State based on any provision of a compact which State may enter into with one or more of the foregoing Indian tribes which Tribe desires to include as a provision in this Compact. Any amendment proposed pursuant to this section will be subject to approval of the Kansas Legislature and the Tribe's Tribal Council.

38. The reference to and citation of State statutes and laws in this Compact shall be for reference only for the convenience of the Parties and considered nothing more than contractual terms and obligations. While the Tribe agrees to comply with all contractual obligations set forth in this Compact, no reference to or incorporation of laws, rules, or regulations in this Compact shall be construed as a waiver or cession of any sovereign authority or immunity of the Tribe or an agreement by the Tribe to be subject to such laws, rules or regulations within Indian Country except to the extent agreed to herein.

39. Notwithstanding any provision of this Compact to the contrary, the possession, gift, or use within the Tribe's Compact Lands of noncommercial privately produced tobacco for religious or ceremonial use shall be exempt from taxation by the State and may be exempt from taxation by the Tribe. Such tobacco shall be deemed not to be a common nuisance or contraband pursuant to State law or process, in each case on grounds of non-payment of any State tax. For the purposes of this section, "tobacco" shall mean any plant, including parts or products thereof, within the genus *Nicotania* and which does not constitute a "controlled substance" within the meaning of 21 U.S.C. 802(6).

40. All notices under this Compact shall be in writing and sent by way of certified U.S. mail to the following officials or their successors in office:

To the Tribe:

Chairperson and Tribal Council
Sac and Fox Nation of Missouri in Kansas and Nebraska
305 North Main Street
Reserve, KS 66434

To the State:

To the Governor:
Office of the Governor
300 SW 10th Ave., Ste. 241S
Topeka, KS 66612-1590

To the Attorney General:
Office of the Kansas Attorney General
120 SW 10th Ave., 2nd Floor
Topeka, KS 66612-1597
To the Kansas Department of Revenue
Secretary of Revenue
915 SW Harrison Street, Second Floor
Topeka, KS. 66612-1588

The Parties agree to provide written notice within thirty (30) days of any change to the above addresses.

IN WITNESS WHEREOF, the parties hereto have executed this Compact as of the date first above written.

**Sac and Fox Nation of Missouri in Kansas
and Nebraska**

By:
EDMORE GREEN
Chairman of the Tribal Council

State of Kansas

By:
SAM BROWNBACK
Governor

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6023**—

By Representatives Ryckman, Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, Curtis, Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker,

Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, Smith, Stogsdill, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Wheeler, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore

HR 6023—A RESOLUTION honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

WHEREAS, The State of Kansas is extraordinary because of the perseverance of and sacrifices made by immigrants and citizens working together toward one common goal: Achieving the American Dream; and

WHEREAS, The Indian-American community serves as an integral component of our fellowship, and Srinivas Kuchibhotla lived life passionately, contributing toward creating a stronger City of Olathe and State of Kansas; and

WHEREAS, Srinivas, an engineer at Garmin, was tragically taken from us on February 22, 2017; and

WHEREAS, Thousands from various faith communities came together to condemn acts of hatred and prejudice, to mourn at a community march and prayer vigil on Sunday, February 26, 2017, and to offer an outpouring of support, prayer and love for Srinivas, his wife and family and our grieving brothers and sisters in the community; and

WHEREAS, The City of Olathe and the greater Kansas City metropolitan area stand together and give their utmost support for our diverse society, the Indian-American Community and those who are mourning; and

WHEREAS, The City of Olathe stands united against acts of hatred and intolerance, and actively fosters a home of inclusivity, reverence and love; and

WHEREAS, The State of Kansas condemns evil acts and prays for the swift recoveries of Alok Madasani and Ian Grillot: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we honor the life and memory of Srinivas Kuchibhotla and extend our deepest sympathies to his family, friends, community and everyone impacted by this tragedy; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 10 enrolled copies of this resolution to Speaker Ryckman.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Ward to replace Rep. Helgerson on Committee on K-12 Education Budget on March 15, 2017.

Also, the appointment of Rep. Frownfelter to replace Rep. Kuether on Committee on Corrections and Juvenile Justice on March 15, 2017.

REPORT ON ENGROSSED BILLS

HB 2162, HB 2168, HB 2228, HB 2387 reported correctly engrossed March 14, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6017 reported correctly enrolled and properly signed on March 15, 2017.

On motion of Rep. Hineman, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

It being the hour in accordance with **HCR 5012**, to meet in joint session with the Senate to hear the message of the Chief Justice, Reps. Johnson, Waymaster and Terrell escorted President Wagle and members of the Senate to seats in the House.

Reps. Barker, Campbell and Hodge and Senators Wilborn and Haley escorted the Chief Justice to the rostrum and other members of the Supreme Court to seats in the House.

**ADDRESS OF CHIEF JUSTICE LAWTON R. NUSS
TO THE JOINT SESSION OF THE
2017 LEGISLATURE**

THE STATE OF THE KANSAS JUDICIARY IN 2017

Speaker Ryckman, President Wagle, distinguished members of the House and Senate, honored guests, and my fellow Kansans.

In 2011 and 2012 I stood in this same spot and told you about my great-grandparents. They once lived in a dugout carved in a creek bank outside Dodge City where they were homesteading their claim. I also said that as a descendant from these humble beginnings, I considered it a special honor to stand before all of you in this magnificent chamber of the people – and to report on the judicial branch of my native state. I still consider it a very special honor.

I thank Speaker Ryckman for generously offering me this third opportunity. And I thank President Wagle for graciously agreeing to the scheduling of this event.

Mr. Speaker, I also thank you for inviting my judicial colleagues who are with me today: the justices on the Supreme Court and the judges on the Court of Appeals. For many years the Supreme Court justices worked in the Capitol building, holding their proceedings in the courtroom here. So members of our three branches of government got to see one another on a regular basis, and perhaps they got to know each other as individuals. Once the courts moved to the Kansas Judicial Center in 1978, however, those opportunities for forging personal relationships between jurists and legislators decreased. So it's nice to have an occasion like this to get to know each other a little better because, after all, we all work for the people of Kansas. Or as cowboy singer and bronc rider Chris LeDoux would say, we're all "riding for the [Kansas] brand."

And toward that end, we have been allowed to schedule a reception outside the old Supreme Court chamber after my remarks. To help you navigate that reception, please permit me to now briefly introduce the jurists by court and by seniority. Starting with the:

Supreme Court justices:

- I am native of Salina: central part of state
- Marla Luckert: native of Goodland (western border)
- Carol Beier: native of KCK (eastern border)
- Eric Rosen: native of Topeka
- Lee Johnson: native of Caldwell (southern border)
- Dan Biles: native of El Dorado
- Caleb Stegall: native of Lawrence

Court of Appeals judges:

--Chief Judge Karen Arnold-Burger: of Overland Park (And recent recipient of an Award for Teaching Excellence as a faculty member of the National Judicial College in Reno, Nevada)

- G. Joseph Pierron, Jr.: Lawrence
- Henry W. Green, Jr.: Leavenworth
- Stephen D. Hill: Paola
- Michael B. Buser: Overland Park
- Melissa Taylor Standridge: Leawood
- G. Gordon Atcheson: Overland Park
- David Bruns: Kansas City, Kansas
- Tony Powell: Wichita
- Kim Schroeder: Hugoton
- Kathryn Gardner: Topeka

These are your appellate jurists.

A few minutes ago I mentioned cowboy singer Chris LeDoux and "ridin' for the brand." That lyric comes from his song, "You Just Can't See Him, From The Road." Now LeDoux is talking about cowboys – working out in the pastures far away from public view and any public acclaim but still in the saddle and still working. The same can often be said about many of the 250 judges and 1,600 employees in the judicial branch. Kansans don't see us until they need us. So allow me to tell you a little bit about what "you just can't see, from the road" – but only from within the courthouses in our 105 counties.

This task creates a bit of a challenge. Because many of you are new to the legislature and may be unaware of judicial branch events the last few years. Others of you may not be new but for one reason or another were unable to attend my State of the Judiciary speeches after 2012. Still others may have been keeping close track of our events. So I have tried to strike a balance among these groups. My apologies to those who already know a lot of this.

In 2010, the Supreme Court had to close all Kansas courts for 4 days for lack of money. While virtually unavoidable due to the poor condition of the economy, it motivated the Court to see if we could improve our administration of justice, be more efficient, and make best use of the hard-earned money of Kansas taxpayers. So we started Project Pegasus. It consisted of two parts: (1) a weighted caseload study to measure the actual workloads of all district courts in our 105 counties and (2) a 24-person Blue Ribbon Commission.

The commission's purpose was to review the judicial branch operations and make recommendations to the Supreme Court for possible changes. In doing so, it performed the most extensive review of Judicial Branch operations statewide since the 1970's. One of its members, John Wheeler, is now a member of this House. Another member, Sam Williams, is now the Secretary of the Department of Revenue.

One of the Blue Ribbon Commission's main recommendations in Project Pegasus was to improve Judicial Branch efficiencies by making fuller use of advances in technology. So let me start by updating you on our electronic courts project which I first talked about in my speech here in 2011.

I will begin with electronic filing (or e-filing). You probably know this enables legal documents to be filed with the courts electronically. At this time I'm very proud to report some exciting news. After years of work, implementation of an e-filing system was completed in 2016 for all state courts – in 105 counties and in both the appellate courts.

The first years were funded through federal grants. But the completion was made possible because the legislature earmarked some docket fee revenues for the project the last several years. I join many Kansans in thanking you for those important appropriations. It means hundreds of thousands of court documents are being filed without people having to travel to the courthouses or put them in the mail.

I mentioned in past years that the plan has been for e-filing to eventually be integrated with an electronic case management and document management system different from the ones presently used by most court personnel in processing cases. This will allow us to shift from a paper-based system to one that will provide judges, court staff and attorneys with immediate, statewide access to case information, details, and records provided by the Kansas courts. And our employees in any county courthouse should be able to work from their computers on court business for other counties. This alone is a big benefit because it allows the Supreme Court to more effectively and efficiently manage the state's court system. Eventually, the Kansas e-court system will also provide the public with statewide 24-hour access to some of the most frequently requested court services from any computer with an internet connection.

Over a year ago the planning committee for our multi-million dollar e-courts project began to discuss exactly how to link the computer systems from courts in 105 counties to become one centralized computer network. Because a variety of systems have developed in the different district courts over time, you can appreciate this is a massive undertaking. One subcommittee surveyed the state to identify the existing technical capacities and capabilities of all the different courthouses. The full committee then received vendor bids in response to our request for proposal based upon that survey. In about 3 weeks the committee will observe vendor demonstrations as a step toward final selection. During this time, another subcommittee has been looking to standardize the various practices currently performed throughout all the state courts.

We anticipate that the statewide e-courts project will be completed within 3 years. That will be an important day because it will bring more uniformity and efficiency to the entire court system to benefit Kansans – one of the greatest achievements since court unification in the 1970's.

Another one of the 77 Blue Ribbon Commission recommendations I wish to touch

upon today is the weighted caseload study. This statewide study allowed us to accurately determine, by actual workloads, how many judges and court clerks were needed and where they were needed in the state. But it excluded any employee not working directly in the offices of the clerks of the court, such as administrative assistants, court reporters, and probation officers.

So last year we conducted a "position inventory" to include these additional 700 employees. This process reviewed not only the hard data from the continually-updated weighted caseload study from Pegasus, but it also considered the experience and actual observations of our 31 chief judges and their longtime employees. This assessment, together with the updated weighted caseload information, helps us determine needed personnel levels on an ongoing basis. It also allows us to consider the impact of recent advancements in technology on those staffing needs.

These studies and our increased use of technology such as e-filing have indeed been valuable tools in modernizing court operations. That in turn benefits the Kansans we serve.

But as we are gaining efficiency through them, we are also losing efficiency through increased turnover of highly experienced judges and employees. Besides retirement, these losses are primarily because of low compensation. For the same reason, we often have had real trouble finding suitable replacements in many courthouses.

According to the polls, the team from my alma mater, the University of Kansas, was recently ranked #1 in the nation for playing basketball. A lot of Kansans are rightfully proud of that – even some diehard K-State fans like Justice Luckert and Wichita State graduates like my son Graham. By contrast, according to the National Center for State Courts, Kansas district judges (the trial judges in your communities), rank next to last in the nation for what they get paid. And only 45th when adjusted for cost of living.

The National Center for State Courts does not maintain information from all other states that we can compare with the compensation earned by our (1) court employees and (2) district magistrate judges. So using a grant, last year we hired the experts from that organization to study these two groups.

For magistrate pay, among the things the National Center's compensation study revealed:

A little over 22% is needed to raise district magistrate judge salaries to market level.

More than one-fourth of our magistrate judges who responded to the survey indicated they are seeking employment outside the judicial branch. The number one reason given? Compensation.

For employee pay, among the things we learned:

More than one-fourth of our employee positions have starting salaries below the federal poverty level for a family of four.

Every single judicial branch job classification is below market pay rate, some by as much as 22%.

Approximately 700 of our 1,600 employees are paid about 18% below market.

Nearly one-third of our employees also need to work jobs outside the Judicial Branch to make ends meet. This is 24 % higher than the Kansas average.

One hour before my State of the Judiciary speech in 2014, legislators voted to give our employees a 2% cost of living adjustment. In my remarks, I led the audience in applauding and publicly thanking the legislature. Outside of that adjustment, no compensation increase has been provided to Judicial Branch employees or judges since July 2008 – nearly 9 years ago.

Conclusion: It is human nature for people to devote their time and money to those things that are most valuable to them. So all Kansans may want to ask themselves: what value do we place on the administration of justice in our state?

Getting down to brass tacks, or hard facts, what do all these people in the Judicial Branch do for the money you currently invest in them? Well, last fiscal year, they processed almost 400,000 new cases filed in the district courts. This caseload included more than 20,000 felony cases and more than 14,000 misdemeanor cases. They supervised nearly 17,000 convicted criminals on probation, including 3,000 convicted sex offenders. They protected almost 7,000 children who were in need of care by ruling on requests related to their safety and wellbeing. And they protected nearly 14,000 people by issuing restraining orders, to say nothing of the civil cases, probate, juvenile, domestic, traffic, and others.

Last year our court clerks also collected more than \$180 million. This included restitution for crime victims and monies for private judgments, for some state agencies, and for the general funds of counties and the State. Of that \$180 million, we collected \$53 million to fund state government.

Returning to a few other Blue Ribbon Commission recommendations, one generally was to increase Judicial Branch use of technology in addition to e-courts. One specific example I will share is the expanded use of:

Videoconferencing: Our Court of Appeals continues with its pilot project to use videoconferencing for certain activities instead of requiring attorneys to sustain the expense of coming to Topeka. Last year it heard its first cases argued by videoconference. In the latest case, the judges sat in their courtroom in the Judicial Center and the attorneys spoke from their offices in Hill City more than 250 miles away. Everyone involved pronounced it a success; so look for more cost-saving videoconference arguments in the future.

Specialty Courts: The Commission also recommended we continue examining the effectiveness of our specialty or problem-solving courts across the state. They differ from the usual courts because they coordinate services provided to criminal offenders with direct, sometimes intense, supervision by a judge. Most of these are drug courts which attempt to address an offender's underlying substance abuse problems – problems that often lead to a frustrating cycle of criminal offenses, incarceration, and then more offenses. National research has shown that drug courts can be effective in reducing offender recidivism. That in turn saves considerable judicial and correctional resources.

Two new types of specialty courts have recently been established with this same goal in mind. Johnson County District Court started our state's first veterans' court in 2016 for those who have committed misdemeanors or lower-level felonies and who are eligible for treatment by the Veterans Administration. Like drug courts, veterans' courts offer alternatives to incarceration. They do not treat criminal defendant veterans differently just because they happen to be veterans. Rather, they help veterans who may

be suffering as a result of serving our country. The veterans' court programs allow eligible veterans to voluntarily participate in a 12-18 month program of frequent court appearances, drug and alcohol testing at least twice a week, treatment, recovery support meetings, and mentoring by another veteran. As a veteran myself, and the grandfather of a soldier who deploys to Afghanistan next month, I am especially pleased to report that currently about 20 veterans are participating in the program with the first one graduating several weeks ago.

Similarly, Douglas County District Court established a Behavioral Health Court to target those whose mental health issues may have contributed to the criminal charges against them. Inmates with mental health issues or dual diagnosis of mental illness and substance abuse are released from the county jail to the court, which then orders and monitors treatment. The goal is to dismiss the charges after a period of successful intervention and treatment. The Behavioral Health Court expects to divert as many as 30 inmates from the jail each year. This program represents excellent collaboration among the court, the District Attorney, Court Services, a behavioral health center, local law enforcement, and other community based treatment providers.

Time Standards: Acting on another Commission recommendation, the Supreme Court created a committee to help review and revise time standards for decisions in appellate court and district court cases. The committee includes judges from the appellate courts, judges and magistrate judges of the district court, civil practice lawyers, prosecutors, and criminal defense lawyers. While its work is not complete, it has resulted in the Supreme Court adopting internal standards for timeliness of issuing its decisions. Those standards are:

25 percent of all decisions released to the public within 90 days of oral argument
50 percent released within 180 days; and
95 percent within 270 days.

Death penalty cases are the exception.

Supreme Court travel: My last topic on the State of the Kansas Judiciary is not a Commission recommendation but nevertheless of great value. That is, the appellate courts have taken their proceedings directly to the people of Kansas. The Court of Appeals has heard cases argued across the state for years.

Starting in 2011, the Supreme Court followed that lead and heard cases in Salina, Greensburg and Wichita. Since then, we have heard cases in Garden City, Hays, Hiawatha, Hutchinson, Kansas City, Overland Park, Pittsburg and Topeka. Later this month we will be in Winfield. That session will be our sixth one held in the evening; so that people who work during the day can come and see for themselves, who we are, what we do, and how we do it.

To date it appears that Hays has the record turnout: nearly 700 people attended. But remember, Winfield, records are made to be broken.

CONCLUSION:

During recent times, it has become especially clear that Americans hold different views on important subjects: Democrats and Republicans; conservative Republicans and moderate Republicans; Progressives and Libertarians, maybe even Jayhawks and

Shockers. One side quotes its guru while another side quotes its own champion from history. In my past State of the Judiciary speeches I too have quoted historic figures. They ranged from Abraham Lincoln in 1859 to Winston Churchill in the 20th century. And tonight I quoted a more recent, but lesser-known, Chris LeDoux.

But for a conclusion, I searched for someone who not only is well-known but also is nonpartisan – who is as uncontroversial as possible. I found someone who served as head of the Army; as a signer of the Declaration of Independence; as the unanimously-elected chairman of the constitutional convention of 1787; as the first president of the United States – twice receiving all electoral college votes; a man who refused to serve more than two terms as president because he was concerned about abuse of power. I speak, of course, of George Washington. So what did President Washington say that is of relevance to us this afternoon?

"The administration of justice – is the firmest pillar of government."

Your Kansas judges and Judicial Branch employees have been proudly "firming up" this pillar of government for the last 156 years. With your help, we can look forward to doing so for years to come.

Now I am well aware you are facing many challenges during this legislative session. Maybe some of the biggest ones ever. But I also believe that you will continue to take fair account of the needs of the Judicial Branch – our judges and employees – as we administer justice to Kansans.

And finally, for the good work you have done for the people of our state in these difficult times, I want to express my gratitude.

I look forward to visiting with you at the reception. I bid you Godspeed.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, March 16, 2017.

Journal of the House

FORTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 16, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by guest chaplain, Kenneth J. Harder, pastor, Emmanuel Mennonite Church, Meade, and guest of Rep. Orr:

Dear Heavenly Father, What a privilege is to serve you and this great State of Kansas. You say in your Holy Word that if any lack wisdom we were to ask you for it, not trust in ourselves for it. I ask you for wisdom. Infuse your divine wisdom into the representatives of this house, to the senators also, and the governor. Protect their families as we know that families are the backbone and foundation of a prospering society. Thank you Lord for each family and the situations which they are facing today. Thank you also for our firefighters who protected us last week during the wild fires. Bless them and their families. Renew the land once again by sending us the rain and restore what has been lost and comfort those who have lost loved ones. Bring us together to rebuild for your glory and our benefit. Then last but not least, thank you for all of the human and material resources we as Kansans have access to; they belong to you. Since they belong to you, will you bless us again and show us how to get out of the budget shortfall. Let the decisions that come forth from this legislature and from judges in our courts be just and right God honoring.

I ask all these things in the Name of the Lord Jesus Christ who died to pay our sins. Amen!

The Pledge of Allegiance was led by Rep. Curtis.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2392, HB 2393, HB 2394.**

Federal and State Affairs: **HB 2391.**

Taxation: **HB 2395.**

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Ryckman, **HR 6023**, A RESOLUTION honoring the life of Srinivas Kuchibhotla and recognizing a united community and state, was adopted.

There being no objection, the following remarks of Rep. Ryckman are spread upon the Journal:

In February, an innocent life was taken in Olathe, at Austin's Bar and Grill. Our hearts go out to the family, friends, coworkers, and neighbors of Srinivas Kuchibhotla who are grieving and mourning at home and abroad. Srinivas was a specialized engineer at Garmin, who came to Kansas to pursue the American Dream.

These two gentlemen, Alok Madasani and Ian Grillot, were injured and are still actively recovering. We are very grateful that both of them could be with us today. They acted in good faith and are heroes, and we would like to thank them.

We would also like to thank the India Association of Kansas City, the City of Olathe, and Garmin for providing so much support for the community, and especially for the victims families.

This tragedy has devastated Olathe, and while it has been a shock, it has also strengthened our community and reaffirmed our compassion and unity. This event certainly does not represent our city, our county, or our state. Thousands have come together to offer love, support, and continued prayers. These evil acts do not define us, and they will not divide us. This is Kansas, and acts of evil, like this, have no place here.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 32, AN ACT relating to mental health care; medical student and resident loan assistance; medical student loan agreements; practice commitment agreements; providing for agreements for the practice of psychiatry; establishing the psychiatry medical loan repayment fund and the rural health bridging psychiatry fund; concerning mental healthcare facilities; amending K.S.A. 76-387 and 76-12a07 and K.S.A. 2016 Supp. 75-3373, 76-381, 76-382, 76-383, 76-384 and 76-385 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams,

Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, DeGraaf, Garber, Jacobs, R. Powell.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 42, AN ACT concerning children and minors; relating to the revised Kansas juvenile justice code; amending K.S.A. 2015 Supp. 38-2304, as amended by section 30 of chapter 46 of the 2016 Session Laws of Kansas, 38-2342, as amended by section 36 of chapter 46 of the 2016 Session Laws of Kansas, 38-2361, as amended by section 42 of chapter 46 of the 2016 Session Laws of Kansas, 38-2368, as amended by section 45 of chapter 46 of the 2016 Session Laws of Kansas, 38-2369, as amended by section 46 of chapter 46 of the 2016 Session Laws of Kansas, 38-2375, as amended by section 51 of chapter 46 of the 2016 Session Laws of Kansas and K.S.A. 2016 Supp. 38-2330, 38-2346, 38-2391, 38-2392, 75-52,161, 75-52,162, 75-52,164 and 75-6704 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Landwehr in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Landwehr, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2343** be passed.

Roll call was demanded on motion of Rep. Hodge to amend **SB 17** on page 1, following line 4, by inserting:

"WHEREAS, The amendments to K.S.A. 40-284 and K.S.A. 2016 Supp. 40-3107 by this act shall be known and may be cited as the injured motorist fair compensation act.

Now, therefore:"

Also on page 1, following line 31, by inserting:

"Sec. 2. On and after January 1, 2018, K.S.A. 40-284 is hereby amended to read as follows: 40-284. (a) No automobile liability insurance policy covering liability arising out of the ownership, maintenance, or use of any motor vehicle shall be renewed, delivered or issued for delivery in this state on or after January 1, 2018, with respect to any motor vehicle registered or principally garaged in this state, unless the policy contains or has endorsed thereon, a provision with coverage limits equal to the limits of liability coverage for bodily injury or death in such automobile liability insurance policy sold to the named insured for payment of part or all sums which the insured or the insured's legal representative shall be legally entitled to recover as damages from the uninsured owner or operator of a motor vehicle because of bodily injury, sickness or disease, including death, resulting therefrom, sustained by the insured, caused by accident and arising out of ownership, maintenance or use of such motor vehicle, or providing for such payment irrespective of legal liability of the insured or any other person or organization. No insurer shall be required to offer, provide or make available coverage conforming to this section in connection with any excess policy, umbrella policy or any other policy which does not provide primary motor vehicle insurance for liabilities arising out of the ownership, maintenance, operation or use of a specifically insured motor vehicle.

(b) Any uninsured motorist coverage shall include an underinsured motorist provision with coverage limits equal to the limits of liability provided by such uninsured motorist coverage which enables the insured or the insured's legal representative to recover from the insurer the amount of damages for bodily injury or death to which the insured is legally entitled from the owner or operator of another motor vehicle ~~with coverage limits equal to the limits of liability provided by such uninsured motorist coverage~~ to the extent such ~~coverage exceeds damages exceed~~ the limits of the bodily injury coverage carried by the owner or operator of the other motor vehicle. In no event shall the amount of available underinsured motorist coverage be reduced because of any payment by or on behalf of the owner or operator of the other motor vehicle or any third party.

(c) The insured named in the policy shall have the right to reject, in writing, the uninsured motorist coverage required by subsections (a) and (b) which is in excess of the limits for bodily injury or death set forth in K.S.A. 40-3107, and amendments thereto. A rejection by an insured named in the policy of the uninsured motorist coverage shall be a rejection on behalf of all parties insured by the policy. Unless the insured named in the policy requests such coverage in writing, such coverage need not be provided in any subsequent policy issued by the same insurer for motor vehicles owned by the named insured, including, but not limited to, supplemental, renewal, reinstated, transferred or substitute policies where the named insured had rejected the coverage in connection with a policy previously issued to the insured by the same insurer.

(d) Coverage under the policy shall be limited to the extent that the total limits

available cannot exceed the highest limits of any single applicable policy, regardless of the number of policies involved, persons covered, claims made, vehicles or premiums shown on the policy or premiums paid or vehicles involved in an accident.

(e) Any insurer may provide for the exclusion or limitation of coverage:

(1) When the insured is occupying or struck by an uninsured automobile or trailer owned or provided for the insured's regular use;

(2) when the uninsured automobile is owned by a self-insurer or any governmental entity;

(3) when there is no evidence of physical contact with the uninsured motor vehicle and when there is no reliable competent evidence to prove the facts of the accident from a disinterested witness not making claim under the policy;

(4) to the extent that workers' compensation benefits apply;

(5) when suit is filed against the uninsured motorist without notice to the insurance carrier; and

(6) to the extent that personal injury protection benefits apply.

(f) An underinsured motorist coverage insurer shall have subrogation rights under the provisions of K.S.A. 40-287, and amendments thereto. If a tentative agreement to settle for liability limits has been reached with an underinsured tortfeasor, written notice must be given by certified mail to the underinsured motorist coverage insurer by its insured. Such written notice shall include written documentation of pecuniary losses incurred, including copies of all medical bills and written authorization or a court order to obtain reports from all employers and medical providers. Within 60 days of receipt of this written notice, the underinsured motorist coverage insurer may substitute its payment to the insured for the tentative settlement amount. The underinsured motorist coverage insurer is then subrogated to the insured's right of recovery to the extent of such payment and any settlement under the underinsured motorist coverage. If the underinsured motorist coverage insurer fails to pay the insured the amount of the tentative tort settlement within 60 days, the underinsured motorist coverage insurer has no right of subrogation for any amount paid under the underinsured motorist coverage.";

On page 2, following line 4, by inserting:

"Sec. 4. On and after January 1, 2018, K.S.A. 2016 Supp. 40-3107 is hereby amended to read as follows: 40-3107. Every policy of motor vehicle liability insurance issued or renewed on or after January 1, ~~2017~~ 2018, by an insurer to an owner residing in this state shall:

(a) Designate by explicit description or by appropriate reference of all vehicles with respect to which coverage is to be granted;

(b) insure the person named and any other person, as insured, using any such vehicle with the expressed or implied consent of such named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of any such vehicle within the United States of America or the Dominion of Canada, subject to the limits stated in such policy;

(c) state the name and address of the named insured, the coverage afforded by the policy, the premium charged and the policy period;

(d) contain an agreement or be endorsed that insurance is provided in accordance with the coverage required by this act;

(e) contain stated limits of liability, exclusive of interest and costs, with respect to

each vehicle for which coverage is granted, not less than ~~\$25,000~~ \$50,000 because of bodily injury to, or death of, one person in any one accident and, subject to the limit for one person, to a limit of not less than ~~\$50,000~~ \$100,000 because of bodily injury to, or death of, two or more persons in any one accident, and to a limit of not less than \$25,000 because of harm to or destruction of property of others in any one accident;

(f) include personal injury protection benefits to the named insured, relatives residing in the same household, persons operating the insured motor vehicle, passengers in such motor vehicle and other persons struck by such motor vehicle and suffering bodily injury while not an occupant of a motor vehicle, not exceeding the limits prescribed for each of such benefits, for loss sustained by any such person as a result of injury. The owner of a motorcycle, as defined by K.S.A. 8-1438, and amendments thereto, or motor-driven cycle, defined by K.S.A. 8-1439, and amendments thereto, who is the named insured, shall have the right to reject in writing insurance coverage including such benefits for injury to a person which occurs while the named insured is operating or is a passenger on such motorcycle or motor-driven cycle; and unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy when the named insured has rejected the coverage in connection with a policy previously issued by the same insurer. The fact that the insured has rejected such coverage shall not cause such motorcycle or motor-driven cycle to be an uninsured motor vehicle;

(g) notwithstanding any omitted or inconsistent language, any contract of insurance which an insurer represents as or which purports to be a motor vehicle liability insurance policy meeting the requirements of this act shall be construed to obligate the insurer to meet all the mandatory requirements and obligations of this act;

(h) notwithstanding any other provision contained in this section, any insurer may exclude coverage required by subsections (a), (b), (c) and (d) of this section while any insured vehicles are:

(1) Rented to others or used to carry persons for a charge, however, such exclusion shall not apply to the use of a private passenger car on a share the expense basis; or

(2) being repaired, serviced or used by any person employed or engaged in any way in the automobile business. This does not apply to the named insured, spouse or relative residents; or the agents, employers, employees or partners of the named insured, spouse or resident relative; and

(i) in addition to the provisions of subsection (h) and notwithstanding any other provision contained in subsections (a), (b), (c) and (d) of this section, any insurer may exclude coverage:

(1) For any damages for which the United States government might be liable for the insured's use of the vehicle;

(2) for any damages to property owned by, rented to, or in charge of or transported by an insured, however, this exclusion shall not apply to coverage for a rented residence or rented private garage;

(3) for any obligation of an insured, or the insured's insurer under any type of workers' compensation or disability or similar law;

(4) for liability assumed by an insured under any contract or agreement;

(5) if two or more vehicle liability policies apply to the same accident, the total limits of liability under all such policies shall not exceed that of the policy with the highest limit of liability;

- (6) for any damages arising from an intentional act;
- (7) for any damages to any person who would be covered for such damages under a nuclear energy liability policy;
- (8) for any obligation of the insured to indemnify another for damages resulting from bodily injury to the insured's employee by accident arising out of and in the course of such employee's employment;
- (9) for bodily injury to any fellow employee of the insured arising out of and in the course of such employee's employment;
- (10) for bodily injury or property damage resulting from the handling of property:
 - (A) Before it is moved from the place where it is accepted by the insured for movement into or onto the covered auto; or
 - (B) after it is moved from the covered auto to the place where it is finally delivered by the insured;
- (11) for bodily injury or property damage resulting from the movement of property by a mechanical device, other than a hand truck, not attached to the covered auto; and
- (12) for bodily injury or property damage caused by the dumping, discharge or escape of irritants, pollutants or contaminants; however, this exclusion does not apply if the discharge is sudden and accidental.

(j) Commencing with the 2026 legislative interim period, and at least every 10 years thereafter, subject to authorization by the legislative coordinating council, a legislative interim study committee shall study the issue of whether the minimum limits of liability in subsection (e) should be adjusted.";

Also on page 2, following line 5, by inserting:

"Sec. 6. On and after January 1, 2018, K.S.A. 40-284 and K.S.A. 2016 Supp. 40-3107 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to motor vehicle liability insurance; uninsured motorist coverage and underinsured motorist coverage; increasing the minimum policy limit for bodily injury;"; also in line 2, after "K.S.A." by inserting "40-284 and"; also in line 2, after "and" by inserting "K.S.A. 2016 Supp. 40-3107 and"; in line 3, by striking "section" and inserting "sections"

On roll call, the vote was: Yeas 40; Nays 84; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Crum, S., Curtis, Deere, Finney, Frownfelter, Gartner, Henderson, Highberger, Hodge, Holscher, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Sawyer, Schroeder, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schwab, Seiwert, Smith, A., Smith, E., Sutton,

S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Sloan.

The motion of Rep. Hodge did not prevail, and **SB 17** be passed.

Committee report to **SB 19** be adopted; and the bill be passed as amended.

Committee report to **Sub. HB 2223** be adopted; and the substitute bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 46**, as amended by Senate Committee, be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 82a-716 is hereby amended to read as follows: 82a-716. If any appropriation, or the construction and operation of authorized diversion works results in an injury to any common-law claimant, such person shall be entitled to due compensation in a suitable action at law against the appropriator for damages proved for any property taken. Any person with a valid water right or permit to divert and use water may, after first exhausting the remedies available under K.S.A. 82a-717a, and amendments thereto, restrain or enjoin in any court of competent jurisdiction a subsequent diversion by a common-law claimant without vested rights without first condemning those common-law rights. After first exhausting the remedies available under K.S.A. 82a-717a, and amendments thereto, an appropriator shall have the right to injunctive relief to protect his or her prior right of beneficial use as against use by an appropriator with a later priority of right.

Sec. 2. K.S.A. 82a-717a is hereby amended to read as follows: 82a-717a. (a) No common-law claimant without a vested right, or other person without a vested right, a prior appropriation right, or an earlier permit shall divert or threaten to divert water if such diversion or threatened diversion impairs or would impair any vested right, appropriation right, or right under a permit to appropriate water. But any common-law claimant with a vested right, or other person with a vested right, a prior appropriation right, or an earlier permit may divert water in accordance with any such right or permit although such diversion or use thereunder conflicts with the diversion, use, proposed diversion, or proposed use made or proposed by a common-law claimant who does not have a vested right, or other person who does not have a vested right, a prior appropriation right or an earlier permit.

(b) (1) ~~Moreover, Any common-law claimant with a vested right, or other person with a vested right, a prior appropriation right, or an earlier permit may~~ restrain or enjoin in any court of competent jurisdiction, in accordance with this subsection, obtain an order from the chief engineer that limits, curtails or prevents any diversion or proposed diversion that impairs or would impair such right in the event that any such diversion or proposed diversion is made or is threatened to be made by any common-law claimant, or other person who does not have a vested right, a prior appropriation right, or an earlier permit.

(2) Any common-law claimant with a vested right, or other person with a vested right, a prior appropriation right, or an earlier permit who claims impairment of such right by any other person without a prior right to the same water shall submit a

complaint to the chief engineer in accordance with rules and regulations of the chief engineer.

(A) Within two weeks of receiving a complaint of impairment, the chief engineer shall initiate an investigation of such complaint and provide notice of such investigation to the complainant and the allegedly impairing party or parties. As part of the investigation, the chief engineer shall provide an opportunity for the parties to submit any relevant information, including submission of an engineering study that meets standards designated by the chief engineer through rules and regulations.

(B) Following the investigation, the chief engineer may issue an order, consistent with K.S.A. 82a-706b, and amendments thereto, and rules and regulations of the chief engineer, that limits, curtails or prevents the diversion and use of water by any person without a prior right to the same water or that otherwise disposes of the complaint.

(C) The chief engineer shall complete any investigation initiated pursuant to this subsection within 12 months of the date the complaint was submitted to the chief engineer, provided that the chief engineer may extend the investigation for good cause by notifying the parties in writing of the amount of time needed to complete the investigation.

(3) Concurrent with submission of a complaint under paragraph (2), or during the pendency of the chief engineer's investigation pursuant to the complaint, the complainant may petition the chief engineer to issue a temporary order, to be effective until a final order is issued under paragraph (2)(B), that limits, curtails or prevents the diversion and use of water by any person without a prior right to the same water upon a finding by the chief engineer that a substantial likelihood exists that impairment is occurring or will occur and that an order limiting, curtailing or preventing diversion and use of water by any person without a prior right to the same water would not be adverse to the public interest.

(4) Any order issued by the chief engineer pursuant to this subsection is subject to review in accordance with the Kansas judicial review act.";

On page 3, in line 31, after "(f)" by inserting "In addition to a management plan under subsection (e).";

On page 5, in line 13, before "K.S.A" by inserting "K.S.A. 82a-716 and 82a-717a and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "relating to the diversion of water; chief engineer; remedies for the impairment of a valid water right or permit to divert and use water;"; also in line 1, after "amending" by inserting "K.S.A. 82a-716 and 82a-717a and"; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2180** be amended on page 1, following line 6, by inserting:

"New Section 1. There is hereby established in the state treasury the community mental health center improvement fund. All moneys credited to the community mental health center improvement fund shall be used by the Kansas department for aging and disability services only for purposes related to community mental health centers. All expenditures from the community mental health center improvement fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability

services or the secretary's designee.";

Also on page 1, in line 20, by striking all before the second comma and inserting "June 30, 2017"; also in line 20, by striking all after the third comma; in line 21, by striking all before "1" and inserting "during the reporting period beginning July"; also in line 21, after the second comma by inserting "and ending December 31, 2022,"; also in line 21, after "5.77%" by inserting "and on and after January 1, 2023, the privilege fee shall be 2%";

On page 2, in line 30, after "(b)" by inserting "(1)"; also in line 30, by striking "first" and inserting "subject to the following priorities:

(A) First,";

Also on page 2, in line 32, by striking "and then" and inserting ";

(B) second, on July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the sum of \$3,500,000 to the community mental health center improvement fund created by section 1, and amendments thereto, and on July 1 of each year thereafter, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer the sum of \$15,000,000 to the community mental health center improvement fund created by section 1, and amendments thereto; and

(C) third";

Also on page 2, in line 33, after the period by inserting:

"(2) ";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "establishing the community mental health center improvement fund;"; and the bill be passed as amended.

Committee on **Children and Seniors** recommends **HB 2232** be amended on page 1, in line 31, after "(2)" by inserting "be informed of the proper procedures for reporting complaints, as outlined by the Kansas department for aging and disability services;

(3) ";

On page 2, following line 1, by inserting:

"The adult care home shall provide a copy of the completed form to the resident, any resident or residents with whom the resident shall share a room and the office of the state long-term care ombudsman.";

Also on page 2, in line 8, by striking all after "accommodations"; in line 9, by striking "options"; in line 15, by striking all after "accommodations"; in line 16, by striking "options"; in line 20, after "(f)" by inserting "Any resident who has previously conducted authorized electronic monitoring must obtain consent from any new roommate before the resident may resume authorized electronic monitoring. If a new roommate does not consent to electronic monitoring and the resident conducting the authorized electronic monitoring does not remove or disable the electronic monitoring device, the adult care home may turn off the device.

(g) Consent may be withdrawn by the resident, the resident's guardian or legal representative, or any roommate at any time, and the withdrawal of consent shall be documented in the resident's clinical record. If a roommate withdraws consent and the resident conducting the electronic monitoring does not remove or disable the electronic monitoring device, the facility may turn off the electronic monitoring device.

(h) ";

Also on page 2, in line 23, by striking "(g)" and inserting "(i) (1)"; following line 26, by inserting:

"(2) Each adult care home shall require that a resident, or such resident's guardian or legal representative, who conducts the electronic monitoring to post a conspicuous notice at the entrance to the resident's room stating that the room is being monitored electronically.

(j) If electronic monitoring is conducted, the adult care home may require the resident, the resident's guardian or legal representative, to conduct the electronic monitoring in plain view.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2264** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2264," as follows:

"Substitute for HOUSE BILL NO. 2264

By Committee on Corrections and Juvenile Justice

"AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing of certain persons to a mandatory minimum term of imprisonment; amending K.S.A. 2016 Supp. 21-6620, 21-6623 and 21-6627 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub. HB 2264** was thereupon introduced and read by title.)

Committee on **Education** recommends **SB 100**, as amended by Senate Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Education** recommends **SB 166** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Federal and State Affairs** recommends **HB 2042** be passed.

Committee on **Insurance** recommends **SB 110** be passed.

Committee on **Insurance** recommends **SB 15** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Insurance** recommends **SB 14**, as amended by Senate Committee, be amended on page 3, in line 8, by striking all after "the"; in line 9, by striking "department" and inserting "commissioner"; in line 11, by striking "Section 1" and inserting "State law"; in line 16, by striking all before the quote; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 26** be passed.

Committee on **Transportation** recommends **SB 36**, as amended by Senate Committee, be passed.

Committee on **Transportation** recommends **HB 2194** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2194," as follows:

"Substitute for HOUSE BILL NO. 2194

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to motorcycles, approved safety training curriculum, location for safety courses; amending K.S.A. 2016 Supp. 8-240 and 8-272 and repealing the existing sections.";

And the substitute bill be passed.

(**Sub. HB 2194** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2396, AN ACT concerning income taxation; relating to credits and certain taxpayers domiciled in a rural opportunity zone; amending K.S.A. 2016 Supp. 79-32,267 and repealing the existing section, by Committee on Taxation.

HB 2397, AN ACT concerning the Kansas consumer protection act; relating to unconscionable acts or practices; attorneys, by Committee on Federal and State Affairs.

HB 2398, AN ACT concerning traffic control devices; relating to the maintenance thereof, counties and townships; amending K.S.A. 2016 Supp. 8-2005 and 68-526 and repealing the existing sections, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Miller on Committee on Federal and State Affairs on March 17, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, March 17, 2017.

Journal of the House

FORTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 17, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 119 members present.

Reps. Brim, Miller, Neighbor, Parker, Powell and Sawyer were excused on excused absence by the Speaker.

Excused later: Reps. Hawkins and Williams.

Prayer by guest chaplain, Everett Schultz, Deacon, First Mennonite Church, Pretty Prairie, and guest of Rep. Seiwert:

Dear heavenly Father. I come before you this morning to request that you provide these good people in this room wisdom, understanding, and camaraderie so they can work together to provide adequate opportunities for all Kansans. Give them a sense of oneness so that they can work together in harmony and agreement. Father, you can provide these good people with wisdom from above to fully understand how to meet the needs of the state and how to provide for their constituents. May You give them a new purpose, a new solidarity, and new vision for our state. May they work with the governor and the Senate to provide the correct legislation that would meet the state's needs.

Father, it seems our state is at a crossroads where values have been eroded, where what was right is no longer right, but in some cases, is wrong. As I grew up, in school we were taught the Golden Rule, "do unto others as you would have them do unto you." It seems we have lost that mindset in our society Father, and I pray that this mindset will be acceptable again. May we become more accepting of each other.

Father, I know there are many different viewpoints in this room. There are people here who are for bigger government, for more regulation, and for more control. There are those who are for smaller government, for less taxes, for equal representation for all. Help these people to be able to balance the budget, to meet the needs not only of the educational system of our state, but to realize that our infrastructure needs attention, and that our businesses need the ability to make a profit without excess taxes. Help the people in this room to reach out to their colleagues in the Supreme Court and

the Senate and as well as the Governor to strive to achieve a workable solution. And may each one work together to achieve a rewarding path forward.

But most importantly Father, if there is someone in this room who does not know if they are bound for heaven, I pray that you will lead them to someone who can explain from the Bible how they can know they are going to heaven. If there is one here that needs that wisdom, please meet that need.

I ask these things in Jesus name. Amen

The Pledge of Allegiance was led by Rep. Seiwert.

CELEBRATION OF ST. PATRICK'S DAY

In celebration of St. Patrick's Day, former Senator Rich Gannon, played traditional Irish melodies on the bagpipes.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2399, AN ACT concerning income taxation; relating to credits, household and dependent care expenses, by Committee on Taxation.

HB 2400, AN ACT concerning sales taxation; relating to the collection of sales taxes from certain remote sellers; amending K.S.A. 2016 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

HB 2401, AN ACT concerning labor organizations; relating to dues; amending K.S.A. 44-803 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2398**.

Judiciary: **HB 2397**.

Taxation: **HB 2396**.

MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 42**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

Announcing passage of **SB 83**, **SB 94**, and **SB 174**.

Also, the Senate concurs in House amendments to **SB 32**.

Announcing passage of **SB 55**, **SB 70**, **Substitute for SB 85**, **Substitute for Substitute for SB 95**, **SB 96**, **SB 117**, **SB 130**, **SB 137**, **SB 184**.

Announcing passage of **HB 2109**, **HB 2192**.

Announcing passage of **HB 2387**, as amended; **Substitute for HB 2052**, as amended by **Senate Substitute for Substitute for HB 2052**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 55, SB 70, SB 83, Sub SB 85, SB 94, Sub for Sub SB 95, SB 96, SB 117, SB 130, SB 137, SB 174, SB 184.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 42**.

Speaker pro tem Schwab thereupon appointed Reps. Jennings, Whitmer and Highberger as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 15, SB 100, SB 166** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2223, AN ACT concerning campaign finance reports for members of the legislature and reports by lobbyists; dealing with civil penalties for late filing of such reports; amending K.S.A. 2016 Supp. 25-4152, 46-268 and 46-280 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Hibbard, Pittman, Schroeder.

Present but not voting: None.

Absent or not voting: Brim, Miller, Neighbor, Parker, R. Powell, Sawyer.

The substitute bill passed, as amended.

HB 2343, AN ACT concerning health and health care; relating to organ transplants; ensuring nondiscrimination in access to organ transplants, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark,

Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Miller, Neighbor, Parker, R. Powell, Sawyer.

The bill passed.

SB 17, AN ACT concerning insurance; enacting the fair access to insurance requirements plan act; amending K.S.A. 40-2101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Miller, Neighbor, Parker, R. Powell, Sawyer.

The bill passed.

SB 19, AN ACT concerning insurance; relating to reinsurance; amending K.S.A. 2016 Supp. 40-221a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Miller, Neighbor, Parker, R. Powell, Sawyer.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Johnson, the House concurred in Senate amendments to **HB 2387**, AN ACT concerning sales and compensating use tax; exemption for repairing, rebuilding or replacing certain property destroyed by wildfires; amending K.S.A. 2016 Supp. 79-3606d and repealing the existing section.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Brim, Miller, Neighbor, Parker, R. Powell, Sawyer.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Highland in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Highland, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 66** be passed.

Committee report to **SB 65** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 60** be adopted; and **H Sub for SB 60** be passed.

Committee report recommending a substitute bill to **HB 2331** be adopted; also, on motion of Rep. Sloan to amend **Sub HB 2331**, the motion did not prevail.

Also, on motion of Rep. Kelly, **Sub HB 2331** be amended on page 2, in line 9, after "agencies" by inserting ", the Kansas public employees retirement system";

On page 26, in line 5, after "agencies" by inserting ", the Kansas public employees retirement system"

Also, on motion of Rep. Pittman to amend **Sub HB 2331**, the motion did not prevail.

On further motion of Rep. Pittman to amend **Sub HB 2331**, the motion did not prevail.

Also, on motion of Rep. Ward to amend **Sub HB 2331**, the motion did not prevail.

Also, on motion of Rep. DeGraaf to amend **Sub HB 2331**, the motion did not prevail; and the substitute bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2353** be amended on page 1, in line 12, by striking ": (1)"; in line 14, by striking "(A)" and inserting "(1)"; also in line 14, by striking "Primarily employs"; also in line 14, before "persons" by inserting "Has a mission to employ"; in line 25, by striking the second "or"; by striking all in lines 26 through 28;

On page 2, in line 4, by striking all before "disability" and inserting "whose"; also in line 4, after the second comma by inserting "whether"; also in line 4, by striking "whether"; in line 5, by striking all after "is"; in line 6, by striking all before the period and inserting "a substantial barrier to employment";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2356** be amended on page 3, in line 39, by striking all after "a"; by striking all in lines 40 through 42; in line 43, by striking "program" and inserting "disability pursuant to the disability standards established by the social security administration as determined by the Kansas disability determination services under the Kansas department for children and families"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2081, HB 2386** be passed.

Committee on **Federal and State Affairs** recommends **HB 2313** be amended on page 3, in line 14, by striking "purchaser's" and inserting "purchasers";

On page 6, following line 13, by inserting:

"Sec. 2. K.S.A. 74-8719 is hereby amended to read as follows: 74-8719. (a) It is unlawful for any person to purchase a lottery ticket or share, or to share in the lottery winnings of a person, knowing that such person is:

(1) The executive director, a member of the commission or an employee of the Kansas lottery;

(2) an officer or employee of a vendor contracting with the Kansas lottery to supply gaming equipment or tickets to the Kansas lottery for use in the operation of any lottery conducted pursuant to this act;

(3) a spouse, child, stepchild, brother, stepbrother, sister, stepsister, parent or stepparent of a person described by subsection (a)(1) or (2); or

(4) a person who resides in the same household as any person described by subsection (a)(1) or (2).

(b) (1) Violation of subsection (a) is a class A nonperson misdemeanor upon conviction for a first offense.

(2) Violation of subsection (a) is a severity level 9, nonperson felony upon conviction for a second or subsequent offense.

(c) Notwithstanding subsection (a), the executive director may authorize in writing any employee of the Kansas lottery and any employee of a lottery vendor to purchase a lottery ticket for the purposes of verifying the proper operation of the state lottery with respect to security, systems operation and lottery retailer contract compliance. Any prize awarded as a result of such ticket purchase shall become the property of the Kansas lottery and be added to the prize pools of subsequent lottery games.

(d) Certain classes of persons who, because of the unique nature of the supplies or services they provide for use directly in the operation of a lottery pursuant to this act, may be prohibited, in accordance with rules and regulations adopted by the commission, from participating in any lottery in which such supplies or services are used.

(e) Nothing in this section shall prohibit lottery retailers or their employees from purchasing lottery tickets and shares or from being paid a prize of a winning ticket or share.

(f) Each person who purchases a lottery ticket or share thereby agrees to be bound by rules and regulations adopted by the commission and by the provisions of this act.

(g) Any lottery ticket or share purchased by a person under 18 years of age shall be null and void and may not be claimed for a prize."

Also on page 6, in line 14, before "K.S.A." by inserting "K.S.A. 74-8719 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "amending" by inserting "K.S.A. 74-8719 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2341** be amended on page 1, in line 20, after the second comma by inserting "Seward,"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 49, by Representative Arnberger, congratulating Hannah Mauler on winning the title of Miss Capital City;

Request No. 50, by Representative Arnberger, congratulating Maddy Hayden on winning the title of Miss Barton County;

Request No. 51, by Representative Markley, congratulating Blue Valley Northwest High School “We the People” Team for being 2017 State Civics Champions;

Request No. 52, by Representative Finney, congratulating Heloise Ann Johnson on her 80th Birthday;

Request No. 53, by Representative Barker, congratulating Abilene High School Wrestling Team on winning the 2017 4A State Championship;

Request No. 54, by Representative John P. Wheeler, congratulating Garden City High School Buffalo Girls Bowling Team for winning the 2017 Kansas Class 6A State Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2402, AN ACT concerning setoff against debtors of the state; authorizing the director of accounts and reports to enter into agreements with third party vendors; amending K.S.A. 75-6203 and K.S.A. 2016 Supp. 75-6202 and 75-6204 and repealing the existing sections, by Committee on Appropriations.

HB 2403, AN ACT concerning economic development; relating to enterprise zones; rural opportunity zones; amending K.S.A. 74-50,116 and 74-50,118 and K.S.A. 2016 Supp. 74-50,115, 74-50,223, 79-32,160a, 79-32,160g and 79-3606 and repealing the existing sections, by Committee on Appropriations.

HB 2404, AN ACT concerning cities; relating to the rehabilitation of abandoned property; amending K.S.A. 2016 Supp. 12-1750 and 12-1756a and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-1756e, by Committee on Federal and State Affairs.

REPORT ON ENGROSSED BILLS

Sub HB 2223 reported correctly engrossed March 16, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6020 reported correctly enrolled and properly signed on March 17, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, March 20, 2017.

Journal of the House

FORTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 20, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 118 members present.

Reps. Alford, Deere and Highland were excused on verified illness.

Reps. Arnberger, Holscher, Schwab and Wilson were excused on excused absence by the Speaker.

Prayer by guest chaplain, Father Kerry Ninemire, Seven Dolores Church, Manhattan, and guest of Rep. Carlin:

Lord God, we gather in this Capitol building today, on this very beautiful but dry first day of spring. We are conscious that many Kansans may not be in the State today: many are on Spring Break and others following one of our three successful basketball teams. Pray for their safe travel.

But our Representatives are here because their work is too important to take a break, whether it is how to best fund the education of our youth and young adults, how to balance a budget and still care for those at risk, and so much more.

We pray for these legislators, Lord.

Grant them the grace of wisdom to best discern, the grace of courage to be unpopular for the greater cause and the graces of faith and hope when they are discouraged or feeling hopeless. May all that is done this day be for Your greater honor and glory. Amen.

The Pledge of Allegiance was led by Rep. Burroughs.

INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Wheeler are spread upon the Journal:

Garden City High School excels in areas too many to mention. I must mention Garden City High School is my Alma Mater, and I am proud to be a Garden City High School 2016 Inductee in the High School Hall of Fame. I only say that to indicate how proud I am of my school and the students who have had and now have the privilege to

learn and experience the great things the school has to offer.

Today I have the honor of recognizing the Garden City High School Ladies Bowling Team for being the winner of the 2017 6A State Championship! This Championship win is not only the first in the program history, but also the first State Championship win by a Ladies program in Garden City High School history.

As a team, these young ladies set a new bowling program record with their team score of 2431 and broke a record they had previously set with a 2425 the week prior to the State Tournament. Also as a team, this group of young women captured the 6A State Championship, were Regional Runner-ups with Alexis Leon capturing both the regional runner-up and State runner-up titles, as well as the individual title at the Great Plains High School Invitational Tournament, and were the 2017 Western Athletic Conference Champions.

This 2017 State Champion team consists of: Madison Farr, Senior and Captain; Karly Larson, Freshman; Angelina Leeper, Freshman; Alexis Leon, Sophomore; Faith Whited, Sophomore; and Ryleigh Whitehurst, Sophomore.

The Garden City High School team also includes a dedicated staff of: Head Coach Kip Nichols and Assistant Coach Bethany Howard. Please join me in recognizing and congratulating the Garden City High School 2017 State Champion Ladies Bowling team and their coaches.

Rep. Wheeler presented the team with a House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2405, AN ACT concerning the senior care act; elder care services; establishing the senior care benefit fund; relating to litter control; requiring certain beverage containers to be redeemable; establishing the container deposit fund, by Committee on Appropriations.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill appearing on the Calendar as “to be referred,” was referred to committee as indicated:

Appropriations: **SB 94**.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **SB 117**.

Appropriations: **HB 2402, HB 2403**.

Commerce, Labor and Economic Development: **SB 55**.

Education: **SB 174**.

Federal and State Affairs: **HB 2401, SB 70, SB 83, SB 85**.

Financial Institutions and Pensions: **SB 137**.

Health and Human Services: **SB 95**.

Judiciary: **SB 184**.

Local Government: **HB 2404**.

Taxation: **HB 2399, HB 2400, SB 96, SB 130**.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2391** from Committee on Federal and State Affairs and referral to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

March 15, 2017

Message to the House of Representatives of the State of Kansas:

Enclosed herewith is Executive Directive No. 17-478 for your information.

EXECUTIVE DIRECTIVE No. 17-478
Concerning Authorizing Expenditure of Federal Funds

Sam Brownback
Governor

The above Executive Directive is on file and open for inspection in the office of the Chief Clerk.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Mason, **HR 6014**, A RESOLUTION recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan, was adopted.

There being no objection the following remarks of Rep. Mason are spread upon the Journal:

This morning, we will vote on the adoption of HR 6014, "Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan."

Why is this recognition important? In 2014, Kansas' exports to Taiwan reached \$185 million, which was a 44% increase from two years earlier, and Taiwan is Kansas' 5th largest export market in Asia. Well over half of that total came from the agribusiness and food sectors. The balance of that, of course, was from other industrial sectors.

Taiwan regularly dispatches procurement missions to the U.S. to sign major supply deals. Kansas farms and factories alike, are well poised to benefit from increasing Taiwanese demand for U.S. products.

With us, this morning, is Director General Jerry Chang, from the Taipei Economic and Cultural Office in Denver. Mr. Chang has an impressive resume in government service to his nation. His career spans nearly 25 years, and includes assignments in Singapore, Hungary, and New York, to name a few. Rep. Mason also introduced Forster Lee, Director, also of the Taipei Economic and Cultural Office.

Please join me, this morning, in a warm welcome for our honored guests.

CONSENT CALENDAR

No objection was made to **SB 15**, **SB 100**, **SB 166** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2331, AN ACT concerning information systems and communications; creating the representative Jim Morrison cybersecurity act; relating to digital information security for Kansas executive branch agencies; establishing the Kansas information security office; establishing the cybersecurity state fund and cybersecurity state grant fund in the state treasury; creating the Kansas information technology enterprise; relating to consolidation and transfer of certain executive branch information technology staff, resources, functions and powers; amending K.S.A. 2016 Supp. 12-5364, 74-9302, 74-9304, 74-9306, 74-99f04, 74-99f06, 74-99f08, 75-3707e, 75-4701, 75-4703, 75-4704, 75-4704a, 75-4704b, 75-4705, 75-4709, 75-4718, 75-4719, 75-6512, 75-7201, 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 75-4702 and 75-4702c, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 28; Present but not voting: 0; Absent or not voting: 7.

Yeas: Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Murman, Neighbor, Orr, Osterman, Parker, F. Patton, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams.

Nays: Alcalá, Carmichael, Crum, S., Curtis, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Kuether, Lusk, Lusker, Miller, Ohaebosim, Ousley, Phelps, Ruiz, Sawyer, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson. The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I fully support the cybersecurity measure included in **Sub HB 2331** and agree in concept to the centralization of IT services however, due to a lack of a roadmap for the implementation, clarity on which employees will be impacted and assurances that centralizing services will protect uniformity and access to IT services, I vote no on **Sub HB 2331**. – PAM CURTIS, JOHN CARMICHAEL

H Sub for SB 60, AN ACT concerning agriculture; relating to the Kansas department of agriculture; certain fees; authorizing the Kansas secretary of agriculture to collect a fee for processing paper documents; amending K.S.A. 74-576 and K.S.A. 2016 Supp. 2-1205, 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-303b, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 94; Nays 24; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Awerkamp, Burroughs, Carmichael, B. Carpenter, Corbet, DeGraaf, Delperdang, Esau, Finney, Garber, Hawkins, Huebert, Jacobs, K. Jones, Kuether, Landwehr, Mason, Osterman, R. Powell, Sutton, Ward, Weber, C., Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.
The substitute bill passed.

SB 65, AN ACT concerning alcoholic beverages; pertaining to alcoholic liquors pledged as collateral; relating to sale by creditors thereof; amending K.S.A. 41-1125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 0; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.
The bill passed, as amended.

SB 66, AN ACT concerning state boards, commissions and authorities; relating to the state banking board; terms of service; amending K.S.A. 74-3004 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 1; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, DeGraaf, Delpdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Jacobs.

Present but not voting: None.

Absent or not voting: Alford, Arnberger, Deere, Highland, Holscher, Schwab, Wilson.
The bill passed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Waymaster, the House nonconcurrred in Senate amendments to **S Sub for Sub HB 2052** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Waymaster, E. Davis and Wolfe Moore as conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Frownfelter to replace Rep. Deere on Committee on Agriculture on March 20, 2017.

Also, the appointment of Rep. Ward to replace Rep. Holscher on Committee on Health and Human Services on March 20, 2017.

REPORT ON ENGROSSED BILLS

Sub HB 2331 reported correctly engrossed March 17, 2017.

HB 2387 reported correctly re-engrossed March 17, 2017.

REPORT ON ENROLLED RESOLUTIONS

HCR 5012, HR 6019, HR 6022 reported correctly enrolled and properly signed on March 20, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, March 21, 2017.

Journal of the House

FORTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 21, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 122 members present.

Rep. Alford was excused on verified illness.

Reps. Barker and Houser were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
thank You for your goodness, Your mercy,
and Your faithfulness that You give to us freely
each and every day.

We thank You for all that has been accomplished thus far.

We recognize that there is much more to do
and as these leaders face even more difficult
challenges and decisions in the days remaining,
the temptation might be to become
less patient and more aggressive;
less tolerant and more insensitive;
less agreeable and more belligerent;
less soft spoken and more verbally abusive.

Through Your Spirit I ask that You give to each one
a spirit of unity and harmony.

Help each one to have a gentle response,
humbleness and gentleness,
and to give grace as they have been given grace.

In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Dove.

INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Arnberger are spread upon the Journal:

Today I would like to welcome Miss Capital City, Hannah Mauler, and Miss Barton County, Maddy Hayden. Hannah is a sophomore at Kansas State University with a

personal platform of “How Fit is Your Life? A Healthy Lifestyle.” Hannah was also the 2016 Miss Barton County. Maddy Hayden is a senior at Great Bend High School with a personal platform of “Promoting Positive Body Image” and is attending Washburn University in the fall. Both are preparing for the Miss Kansas pageant in June.

Miss Kansas is a state preliminary to Miss America, one of the nation’s leading achievement programs and the world’s largest provider of scholarship assistance for young women; over \$45 million in tuition assistance is made available annually at the local, state and national levels. The program exists to provide personal and professional opportunities for young women to express their viewpoints, talents and accomplishments to audiences relative to culture, politics, and community service. Through the four program hallmarks, also known as the 4 points of the crown are scholarship, service, style and success, women are empowered and educated to be outstanding leaders.

Annually, over \$50,000 of scholarships are made available to Miss Kansas contestants at the state and local levels. In 2016, over \$75,000 was made available.

The 75th crowning of Miss Kansas was celebrated in 2016. Kansas is proud to have three Miss Americas. Miss Kansas is an advocate for the national platform, Children’s Miracle Network Hospitals, and her personal platform.

The 2017 Miss Kansas Pageant will be held the first full week of June in Pratt at Pratt Community College. The final competition will be held on Saturday, June 10. If we’re not still in session, I invite everyone to attend and support your local title holders. Please help me welcome Miss Capitol City, Hannah Mauler, and Miss Barton County, Maddy Hayden to the Kansas House of Representatives floor.

Rep. Arnberger presented Miss Mauler and Miss Hayden with framed House certificates.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2406, AN ACT concerning property taxation; relating to exemptions; repeal of exemption for certain pipeline property purchased after June 30, 2017; preserving exemption in certain circumstances; repealing K.S.A. 2016 Supp. 79-227, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Appropriations: **HB 2405**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **HB 2374** from Committee on K-12 Education Budget and referral to Committee on Education.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Senate Substitute for Substitute for HB 2052** and has appointed Senators McGinn, Billinger and Kelly as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 19**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **Substitute for SB 60**, requests a conference and has appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 65**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 19**.

Speaker pro tem Schwab thereupon appointed Reps. Vickrey, Dove and Neighbor as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 60**.

Speaker pro tem Schwab thereupon appointed Reps. Hoffman, Thompson and Carlin as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 65**.

Speaker pro tem Schwab thereupon appointed Reps. Kelly, R. Powell and Finney as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 15**, **SB 166** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

Objection was made to **SB 100** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 15, AN ACT concerning insurance; relating to risk-based capital instructions; effective date; amending K.S.A. 2016 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Arnberger, Aurand, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton,

Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alford, Barker, Houser.

The bill passed.

SB 166, AN ACT concerning higher education; relating to private and out-of-state educational institutions; exempting Cleveland university-Kansas City; amending K.S.A. 2016 Supp. 74-32,164 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Arnberger, Aurand, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Landwehr, Ward.

Present but not voting: None.

Absent or not voting: Alford, Barker, Houser.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hibbard in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hibbard, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **SB 20** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 51** be adopted; on motion of Rep. Wilson, **H Sub for SB 51** be amended (Corrected), on page 4, in line 32, after "include" by inserting ": (1)"; in line 36, after "germination" by inserting "; or (2) any substance listed in schedules II through V of the uniform controlled substances act";

On page 9, in line 14, after "include" by inserting ": (1)"; in line 19, after

"germination" by inserting "; or (2) any substance listed in schedules II through V of the uniform controlled substances act";

On page 25, following line 30, by inserting:

"Sec. 6. K.S.A. 2016 Supp. 65-4111 is hereby amended to read as follows: 65-4111.

(a) The controlled substances listed in this section are included in schedule IV and the number set forth opposite each drug or substance is the DEA controlled substances code ~~which that~~ has been assigned to it.

(b) Any material, compound, mixture or preparation ~~which that~~ contains any quantity of the following substances including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation and having a potential for abuse associated with a depressant effect on the central nervous system:

(1)	Alprazolam.....	2882
(2)	Barbital.....	2145
(3)	Bromazepam	2748
(4)	Camazepam.....	2749
(5)	Carisoprodol.....	8192
(6)	Chloral betaine.....	2460
(7)	Chloral hydrate.....	2465
(8)	Chlordiazepoxide.....	2744
(9)	Clobazam.....	2751
(10)	Clonazepam.....	2737
(11)	Clorazepate.....	2768
(12)	Clotiazepam.....	2752
(13)	Cloxazolam.....	2753
(14)	Delorazepam.....	2754
(15)	Diazepam.....	2765
(16)	Dichloralphenazone.....	2467
(17)	Estazolam.....	2756
(18)	Ethchlorvynol.....	2540
(19)	Ethinamate.....	2545
(20)	Ethyl loflazepate.....	2758
(21)	Fludiazepam.....	2759
(22)	Flunitrazepam.....	2763
(23)	Flurazepam.....	2767
(24)	Fospropofol.....	2138
(25)	Halazepam.....	2762
(26)	Haloxazolam.....	2771
(27)	Ketazolam.....	2772
(28)	Loprazolam.....	2773
(29)	Lorazepam.....	2885
(30)	Lormetazepam.....	2774
(31)	Mebutamate.....	2800
(32)	Medazepam.....	2836
(33)	Meprobamate.....	2820
(34)	Methohexital.....	2264
(35)	Methylphenobarbital (mephobarbital).....	2250

(36)	Midazolam.....	2884
(37)	Nimetazepam.....	2837
(38)	Nitrazepam.....	2834
(39)	Nordiazepam.....	2838
(40)	Oxazepam.....	2835
(41)	Oxazolam.....	2839
(42)	Paraldehyde.....	2585
(43)	Petrichloral.....	2591
(44)	Phenobarbital.....	2285
(45)	Pinazepam.....	2883
(46)	Prazepam.....	2764
(47)	Quazepam.....	2881
(48)	Temazepam.....	2925
(49)	Tetrazepam.....	2886
(50)	Triazolam.....	2887
(51)	Zolpidem.....	2783
(52)	Zaleplon.....	2781
(53)	Zopiclone.....	2784
(54)	2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).	9752
(55)	Alfaxalone.....	2731
(56)	Suvorexant.....	2223

(c) Any material, compound, mixture, or preparation ~~which that~~ contains any quantity of fenfluramine (1670), including its salts, isomers (whether optical, position or geometric) and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible. The provisions of this subsection (c) shall expire on the date fenfluramine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(d) Any material, compound, mixture or preparation ~~which that~~ contains any quantity of lorcaserin (1625), including its salts, isomers and salts of such isomers, whenever the existence of such salts, isomers and salts of isomers is possible (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation ~~which that~~ contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Cathine ((+)-norpseudoephedrine).....	1230
(2)	Diethylpropion.....	1610
(3)	Fencamfamin.....	1760
(4)	Fenproporex.....	1575
(5)	Mazindol.....	1605
(6)	Mefenorex.....	1580
(7)	Pemoline (including organometallic complexes and chelates thereof).....	1530

(8) Phentermine.....1640

The provisions of this subsection (e)(8) shall expire on the date phentermine and its salts and isomers are removed from schedule IV of the federal controlled substances act (21 U.S.C. § 812; 21 code of federal regulations 1308.14).

(9) Pipradrol.....1750
(10) SPA((-)-1-dimethylamino-1, 2-diphenylethane).....1635
(11) Sibutramine.....1675
(12) Mondafinil.....1680

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which that contains any quantity of the following, including salts thereof:

(1) Pentazocine.....9709
(2) Butorphanol (including its optical isomers).....9720

(3) Cannabidiol, when comprising the sole active ingredient of a drug product approved by the United States food and drug administration: Some other names for cannabidiol: 2-[(1R,6R)-3-Methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol

(3)(4) Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxopropyl]](1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino)methyl]-2-methoxybenzoic acid)(including its optical isomers) and its salts, isomers, and salts of isomers.....9725

(g) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1) Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.....9167
(2) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propion-oxybutane).....9278

(h) Butyl nitrite and its salts, isomers, esters, ethers or their salts.

(i) The board may except by rule and regulation any compound, mixture or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this act if the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion or concentration that vitiate the potential for abuse of the substances which that have a depressant effect on the central nervous system.";

On page 26, in line 41, after "4107" by inserting ", 65-4111";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "65-4107" by inserting ", 65-4111" and **H Sub for SB 51** be passed as amended.

Committee report to **SB 14** be adopted; on motion of Rep. Hawkins, **SB 14** be amended on page 1, in line 5, before "Section" by inserting "New"; in line 6, by striking all after "(1)"; by striking all in lines 7 through 9; in line 10, by striking all before the period and inserting ""Licensee" means a person authorized to sell limited line insurance relating to the rental of self-service storage units pursuant to K.S.A. 2016 Supp. 40-4903, and amendments thereto"; in line 23, by striking all after "(b)"; by striking all in lines 24 through 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 15; in line 16, by striking "licensed insurance agents or brokers." and inserting " Insurance relating to the rental of self-service storage units shall only be sold by a licensee, and no such insurance shall be sold to any person in this state unless all of the following apply:

- (1) The rental period of the rental agreement does not exceed two years;
- (2) at every location where such insurance agreements are executed, brochures or other written materials are readily available to the prospective renter that:
 - (A) Summarize, clearly and correctly, the material terms of insurance coverage, including the identity of the insurer, offered to renters;
 - (B) disclose that this insurance may provide duplication of coverage already provided by a renter's or homeowner's insurance policy or other source of coverage;
 - (C) state that the purchase by the renter of this insurance is not required in order to rent a storage unit;
 - (D) describe the process for filing a claim in the event the renter elects to purchase coverage and in the event of a claim; and
 - (E) contain any additional information on the price, benefits, exclusions, conditions or other limitations of such policies as the commissioner may, by rules and regulations, prescribe;
- (3) at every location where such insurance agreements are executed, a sign, approved by the commissioner, is posted that contains the following, or substantially the same information: "State law requires the operator of this facility to inform you that insurance sold by this self-storage company may provide duplication of coverage already provided by a renter's or homeowner's policy or other source of coverage. You are encouraged to contact your primary insurance carrier if you have questions about your existing coverage."; and

(4) evidence of coverage is provided to every renter who elects to purchase such insurance.

(c) ";

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

Also on page 4, following line 20, by inserting:

"(d) The commissioner shall adopt rules and regulations as necessary to carry out the provisions of this section by January 1, 2018.

Sec. 2. On and after January 1, 2018, K.S.A. 2016 Supp. 40-4903 is hereby amended to read as follows: 40-4903. (a) Unless denied licensure pursuant to K.S.A. 2016 Supp. 40-4909, and amendments thereto, any person who meets the requirements

of K.S.A. 2016 Supp. 40-4905, and amendments thereto, shall be issued an insurance agent license. An insurance agent may receive qualifications for a license in one or more of the following lines of authority:

(1) Life — insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income.

(2) Accident and health or sickness — insurance coverage for sickness, bodily injury or accidental death and may include benefits for disability income.

(3) Property — insurance coverage for the direct or consequential loss or damage to property of every kind.

(4) Casualty — insurance coverage against legal liability, including that for death, injury or disability or damage to real or personal property.

(5) Variable life and variable annuity products — insurance coverage provided under variable life insurance contracts, variable annuities or any other life insurance or annuity product that reflects the investment experience of a separate account.

(6) Personal lines — property and casualty insurance coverage sold primarily to an individual or family for noncommercial purposes.

(7) Credit — limited line credit insurance.

(8) Crop insurance — limited line insurance for damage to crops from unfavorable weather conditions, fire, lightning, flood, hail, insect infestation, disease or other yield-reducing conditions or any other peril subsidized by the federal crop insurance corporation, including multi-peril crop insurance.

(9) Title insurance — limited line insurance that insures titles to property against loss by reason of defective titles or encumbrances.

(10) Travel insurance — limited line insurance for personal risks incidental to planned travel, including, but not limited to:

(A) Interruption or cancellation of trip or event;

(B) loss of baggage or personal effects;

(C) damages to accommodations or rental vehicles; or

(D) sickness, accident, disability or death occurring during travel. Travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, for example, persons working overseas including military personnel deployed overseas.

(11) Pre-need funeral insurance — limited line insurance that allows for the purchase of a life insurance or annuity contract by or on behalf of the insured solely to fund a pre-need contract or arrangement with a funeral home for specific services.

(12) Bail bond insurance — limited line insurance that provides surety for a monetary guarantee that an individual released from jail will be present in court at an appointed time.

(13) Self-service storage unit insurance — limited line insurance relating to the rental of self-service storage units, including: (A) Personal effects insurance that provides coverage to renters of storage units at the same facility for the loss of, or damage to, personal effects that occurs at the same facility during the rental period; and (B) any other coverage that the commissioner may approve as meaningful and appropriate in connection with the rental of storage units. Such insurance may only be issued in accordance with section 1, and amendments thereto.

(14) Any other line of insurance permitted under the provisions of chapter 40 of the

Kansas Statutes Annotated, and amendments thereto, and any rules and regulations promulgated thereunder.

(b) Unless suspended, revoked or refused renewal pursuant to K.S.A. 2016 Supp. 40-4909, and amendments thereto, an insurance agent license shall remain in effect as long as education requirements for resident individual agents are met by such insurance agent's biennial due date.

(c) On and after the effective date of this act: (1) Each licensed insurance agent who is an individual and holds a property or casualty qualification, or both, or a personal lines qualification shall biennially obtain a minimum of 12 C.E.C.s in courses certified as property and casualty which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.s shall be in insurance agency management.

(2) Each licensed insurance agent who is an individual and holds a life, accident and health, or variable contracts qualification, or any combination thereof, shall biennially complete 12 C.E.C.s in courses certified as life, accident and health, or variable contracts which shall include at least one hour of instruction in insurance ethics which also may include regulatory compliance. No more than three of the required C.E.C.s shall be in insurance agency management.

(3) Each licensed insurance agent who is an individual and holds only a crop qualification shall biennially obtain a minimum of two C.E.C.s in courses certified as crop C.E.C.s under the property and casualty category.

(4) Each licensed insurance agent who is an individual and is licensed only for title insurance shall biennially obtain a minimum of four C.E.C.s in courses certified by the board of abstract examiners as title C.E.C.s under the property and casualty category.

(5) Each licensed insurance agent who is an individual and holds a life insurance license solely for the purpose of selling pre-need funeral insurance or annuity products shall file a report on or before such agent's biennial due date affirming that such agent transacted no other insurance business during the period covered by the report. Upon request of the commissioner, an agent shall provide certification from an officer of each insurance company which has appointed such agent that the agent transacted no other insurance business during the period covered by the report. Agents who have offered to sell or sold only pre-need funeral insurance are exempt from the requirement to obtain C.E.C.s.

(6) Each licensed insurance agent who is an individual and holds only a bail bond qualification is exempt from the requirement to obtain C.E.C.s.

(7) Each licensed insurance agent who is an individual and holds only a self-service storage unit qualification shall biennially obtain a minimum of two C.E.C.s in courses certified as self-service storage unit C.E.C.s under the property and casualty category.

(d) On and after the effective date of this act, each individual insurance agent who holds a license with both a property or casualty qualification, or both, and a life, accident and health or variable contracts qualification, or any combination thereof, and who earns C.E.C.s from courses certified by the commissioner as qualifying for credit in any class, may apply, at such insurance agent's option, such C.E.C.s toward either the property or casualty continuing education requirement or to the life, accident and health or variable contracts continuing education requirement. However, no C.E.C. shall be applied to satisfy both the biennial property or casualty requirement, or both, and the biennial requirement for life, accident and health or variable contracts, or any

combination thereof.

(e) An instructor of an approved subject shall be entitled to the same C.E.C. as a student completing the study.

(f) (1) An individual insurance agent who has been licensed for more than one year, on or before such insurance agent's biennial due date, shall file a report with the commissioner certifying that such insurance agent has met the continuing education requirements for the previous biennium ending on such insurance agent's biennial due date. Each individual insurance agent shall maintain a record of all courses attended together with a certificate of attendance for the remainder of the biennium in which the courses were attended and the entire next succeeding biennium.

(2) If the required report showing proof of continuing education completion is not received by the commissioner by the individual insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall be suspended automatically for a period of 90 calendar days or until such time as the producer satisfactorily demonstrates completion of the continuing education requirement whichever is sooner. In addition the commissioner shall assess a penalty of \$100 for each license suspended. If such insurance agent fails to furnish to the commissioner the required proof of continuing education completion and the monetary penalty within 90 calendar days of such insurance agent's biennial due date, such individual insurance agent's qualification and each and every corresponding license shall expire on such insurance agent's biennial due date. If after more than three but less than 12 months from the date the license expired, the insurance agent wants to reinstate such insurance agent's license, such individual shall provide the required proof of continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. If after more than 12 months from the date an insurance agent's license has expired, such insurance agent wants to reinstate such insurance agent's license, such individual shall apply for an insurance agent's license, provide the required proof of continuing education completion and pay a reinstatement fee in the amount of \$100 for each license suspended. Upon receipt of a written application from such insurance agent claiming extreme hardship, the commissioner may waive any penalty imposed under this subsection.

(3) On and after the effective date of this act, any applicant for an individual insurance agent's license who previously held a license which expires on or after June 30, 2001, because of failure to meet continuing education requirements and who seeks to be relicensed shall provide evidence that appropriate C.E.C.s have been completed for the prior biennium.

(4) Upon receipt of a written application from an individual insurance agent, the commissioner, in cases involving medical hardship or military service, may extend the time within which to fulfill the minimum continuing educational requirements for a period of not to exceed 180 days.

(5) This section shall not apply to any inactive insurance agent during the period of such inactivity. For the purposes of this paragraph, "inactive period" or "period of inactivity" shall mean a continuous period of time of not less than two years and not more than four years starting from the date inactive status is granted by the commissioner. Before returning to active status, such inactive insurance agent shall:

(A) File a report with the commissioner certifying that such agent has met the continuing education requirement; and

(B) pay the renewal fee. If the required proof of continuing education completion and the renewal fee is not furnished at the end of the inactive period, such individual insurance agent's qualification and each and every corresponding license shall expire at the end of the period of inactivity. For issuance of a new license, the individual shall apply for a license and pass the required examination.

(6) Any individual who allows such individual's insurance agent license in this state and all other states in which such individual is licensed as an insurance agent to expire for a period of four or more consecutive years, shall apply for a new insurance agent license and pass the required examination.

(g) (1) Each course, program of study, or subject shall be submitted to and certified by the commissioner in order to qualify for purposes of continuing education.

(2) Each request for certification of any course, program of study or subject shall contain the following information:

- (A) The name of the provider or provider organization;
- (B) the title of such course, program of study or subject;
- (C) the date the course, program of study or subject will be offered;
- (D) the location where the course, program of study or subject will be offered;
- (E) an outline of each course, program of study or subject including a schedule of times when such material will be presented;
- (F) the names and qualifications of instructors;
- (G) the number of C.E.C.s requested;
- (H) a nonrefundable C.E.C. qualification fee in the amount of \$50 per course, program of study or subject or \$250 per year for all courses, programs of study or subjects submitted by a specific provider or provider organization; and
- (I) a nonrefundable annual provider fee of \$100.

(3) Upon receipt of such information, the commissioner shall grant or deny certification of any submitted course, program of study or subject as an approved subject, program of study or course and indicate the number of C.E.C.s that will be recognized for each approved course, program of study or subject. Each approved course, program of study or subject shall be assigned by the commissioner to one or both of the following classes:

- (A) Property and casualty; or
- (B) life insurance, including annuity and variable contracts, and accident and health insurance.

(4) Each course, program of study or subject shall have a value of at least one C.E.C.

(5) Each provider seeking approval of a course, program of study or subject for continuing education credit shall issue or cause to be issued to each person who attends a course, program of study or subject offered by such provider a certificate of attendance. The certificate shall be signed by either the instructor who presents the course, program of study or course or such provider's authorized representative. Each provider shall maintain a list of all individuals who attend courses offered by such provider for continuing education credit for the remainder of the biennium in which the courses are offered and the entire next succeeding biennium.

The commissioner shall accept, without substantive review, any course, program of study or subject submitted by a provider which has been approved by the insurance supervisory authority of any other state or territory accredited by the NAIC. The

commissioner may disapprove any individual instructor or provider who has been the subject of disciplinary proceedings or who has otherwise failed to comply with any other state's or territory's laws or regulations.

(6) The commissioner may grant or approve any specific course, program of study or course that has appropriate merit, such as any course, programs of study or course with broad national or regional recognition, without receiving any request for certification. The fee prescribed by ~~paragraph (2)~~ of subsection (g)(2) shall not apply to any approval granted pursuant to this provision.

(7) The C.E.C. value assigned to any course, program of study or subject, other than a correspondence course, computer based training, interactive internet study training or other course pursued by independent study, shall in no way be contingent upon passage or satisfactory completion of any examination given in connection with such course, program of study or subject. The commissioner shall establish, by rules and regulations criteria for determining acceptability of any method used for verification of the completion of each stage of any computer based or interactive internet study training. Completion of any computer based training or interactive internet study training shall be verified in accordance with a method approved by the commissioner.

(h) Upon request, the commissioner shall provide a list of all approved continuing education courses currently available to the public.

(i) An individual insurance agent who independently studies an insurance course, program of study or subject which is not an agent's examination approved by the commissioner and who passes an independently monitored examination, shall receive credit for the C.E.C.s assigned by the commissioner as recognition for the approved subject. No other credit shall be given for independent study.

(j) Any licensed individual insurance agent who is unable to comply with license renewal procedures due to military service or some other extenuating circumstances may request a waiver of those procedures from the commissioner. Such agent may also request from the commissioner a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

Sec. 3. On and after January 1, 2018, K.S.A. 2016 Supp. 40-4903 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "units" by inserting "; amending K.S.A. 2016 Supp. 40-4903 and repealing the existing section" and **SB 14** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2279** be amended on page 1, by striking all in lines 7 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 28 and inserting:

"Section 1. On and after July 1, 2018, K.S.A. 2016 Supp. 8-2110 is hereby amended to read as follows: 8-2110. (a) Failure to comply with a traffic citation means failure either to: (1) Appear before any district or municipal court in response to a traffic citation and pay in full any fine and court costs imposed; or (2) otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and amendments thereto. Failure to comply with a traffic citation is a misdemeanor, regardless of the disposition of the

charge for which such citation was originally issued.

(b) (1) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing or stopping, the district or municipal court in which the person should have complied with the citation shall mail notice to the person that if the person does not appear in district or municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The district or municipal court may charge an additional fee of \$5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the district or municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund.

(B) A person whose driver's license has expired during the period when such person's driver's license has been suspended for failure to pay fines for traffic citations, the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund. An individual shall not qualify for restricted driving privileges pursuant to this section unless the following conditions are met: (i) The suspended license that expired was issued by the division of vehicles; (ii) the suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b)(1); (iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state; and (iv) the individual has not previously received a stayed suspension as a result of a driving while suspended conviction.

(C) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to

comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances: (i) In going to or returning from the person's place of employment or schooling; (ii) in the course of the person's employment; (iii) in going to or returning from an appointment with a health care provider or during a medical emergency; and (iv) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court.

(c) Except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of ~~\$59~~ \$100 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit ~~42.37%~~ the first \$15 of such reinstatement fee to the judicial branch nonjudicial salary adjustment fund and of the remaining amount, 29.41% of such moneys to the division of vehicles operating fund, ~~34.78%~~ 22.06% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, ~~10.59%~~ 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-4803, and amendments thereto, and ~~15.26%~~ 41.17% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2016 Supp. 20-1a15, and amendments thereto.

(d) The district court or municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the United States, or volunteering for such active duty, or being called into service as a member of the state of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service. ~~In any case of a failure to comply with a traffic citation which occurred on or after August 1, 1990, and prior to the effective date of this act, in which a person was assessed and paid a reinstatement fee and the person failed to comply with a traffic citation because the person was absent from Kansas because of any such military service, the reinstatement fee shall be reimbursed to such person upon application therefor. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.~~

(e) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2015, through June 30, 2017, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.";

On page 4, following line 18, by inserting:

"Sec. 3. On and after July 1, 2018, K.S.A. 8-2110 is hereby repealed."; in line 19, by striking "8-241 and"; also in line 19, by striking "are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "drivers' license" and inserting "failure to comply with a traffic citation"; in line 3, by striking "8-241" and inserting "8-2110"; and the bill be passed as amended.

Committee on **Elections** recommends **SB 78** be amended on page 1, in line 26, after "(d)" by inserting "(1)"; following line 29, by inserting:

"(2) Failure to receive notice of a change in the voting place shall not give rise to a cause of action challenging the results of the election.

New Sec. 2. The secretary of state shall issue a press release and post a notice on the secretary of state's website notifying the public whenever the online voter registration website is unavailable for a period of 24 hours or more.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2047** be amended on page 1, in line 7, by striking "withing" and inserting "within"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2277** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2277," as follows:

"Substitute for HOUSE BILL NO. 2277

By Committee on Local Government

"AN ACT concerning alcoholic liquor; creating common consumption areas designated by cities and counties; authorizing common consumption area permits; amending K.S.A. 2016 Supp. 41-719 and repealing the existing section.";

And the substitute bill be passed.

(Sub **HB 2277** was thereupon introduced and read by title.)

REPORT ON ENROLLED RESOLUTIONS

HR 6021, HR 6023 reported correctly enrolled and properly signed on March 21, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Wednesday, March 22, 2017.

Journal of the House

FORTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 22, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Orr was excused on legislative business.

Rep. Pittman was excused on excused absence by the Speaker.

Prayer by guest chaplain, Rev. LeSean Tarkington, pastor, Grant Chapel AME Church, Wichita, and guest of Rep. Finney:

We pray for our nation with hopes that those elected to lead, at every level, will work now for your people. We pray these men and women will humble themselves to the sacred task of governing for the people who cast votes. We pray for legislators who will care about jobs for the unemployed and underemployed, education and opportunity for children, and health care for all, especially the most vulnerable among us.

We pray for laws that will protect and respect the earth—this planet created to be a home for all humanity. We pray for governance that knows the difference between a financial system and an economy, that seeks to protect all living organisms of earth and human life.

We pray for wisdom not rhetoric; generosity not indifference, and justice not patronage. We want legislators working across the aisle, not erecting barriers like the border walls that imprison even those who seek to keep others out. We pray for a just sharing in the expense of government, let those blessed with great wealth give according to their means, let all give as they are able.

We pray for leaders gifted in diplomacy, blessed with character and integrity; leaders who know our security comes from relationships of trust and communication, working together in peace an harmony.

Precious Creator, give us the patience to give our leaders a chance to govern with grace, compassion, justice, and love. Let us support sincere effort and celebrate wise

compromise. Make us accountable to our faith and so hold those we elect accountable to serve all the people.

For our heath we say thank you.

For our life we say thank you

For the opportunity to servant lead we say thank you.

Amen

The Pledge of Allegiance was led by Rep. Winn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2406**.

MESSAGES FROM THE GOVERNOR

HB 2387 approved on March 22, 2017.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 14, AN ACT concerning insurance; relating to limited lines; pertaining to self-storage units; amending K.S.A. 2016 Supp. 40-4903 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 24; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, B. Carpenter, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, F. Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Sloan, Smith, A., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, Blex, Carlin, Carmichael, Claeys, Concannon, Dierks, Elliott, Garber, Good, Hodge, Jacobs, Johnson, K. Jones, Judd-Jenkins, Kuether, Lusker, Phelps, R. Powell, Schroeder, Schwab, Smith, E., Thimesch, Waymaster.

Present but not voting: None.

Absent or not voting: Orr, Pittman.

The bill passed, as amended.

SB 20, AN ACT concerning financial institutions; relating to certain acts under the administration of the state bank commissioner; amending K.S.A. 9-2204, 50-1118, 50-1119, 50-1120, 50-1121, 50-1122, 50-1123, 50-1124, 50-1125, 50-1126, 50-1127, 50-1128 and 50-1129 and K.S.A. 2016 Supp. 9-508, 9-509, 9-513a, 9-1101, 9-1102, 9-1104, 9-1114, 9-2203, 9-2206, 9-2211, 9-2216a and 50-1117 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 15; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, B. Carpenter, Corbet, DeGraaf, Garber, Highland, Huebert, Jacobs, K. Jones, Landwehr, Mason, Osterman, R. Powell, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Orr, Pittman.

The bill passed, as amended.

H Sub for SB 51, AN ACT concerning controlled substances; the state board of pharmacy; relating to scheduling of controlled substance analogs, controlled substances and new drugs; emergency scheduling; amending K.S.A. 2016 Supp. 21-5701, 65-4101, 65-4102, 65-4105, 65-4107, 65-4111 and 65-4113 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, Ellis, Jacobs, K. Jones, Schroeder, Schwab.

Present but not voting: None.

Absent or not voting: Orr, Pittman.

The substitute bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Vickrey in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Vickrey, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2313** be adopted; on motion of Rep. Weber, **HB 2313** be amended on page 7, following line 11, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) Except as provided by K.S.A. 2016 Supp. 74-8724 and the Kansas expanded lottery act, and amendments thereto, the executive director shall remit all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. Expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

(2) the payment of compensation to lottery retailers;

(3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 74-8712, and amendments thereto;

(4) transfers to the state general fund pursuant to K.S.A. 74-8713, and amendments thereto;

(5) transfers to the state gaming revenues fund pursuant to subsection (d) and as otherwise provided by law; ~~and~~

(6) transfers to the county reappraisal fund as prescribed by law; and

(7) transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e).

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 79-4801, and amendments thereto, on or before the 15th day of each month in an amount certified monthly by the executive director and determined as follows, whichever is greater:

(1) An amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(4); or

(2) except for pull-tab lottery tickets and shares, an amount equal to not less than

30% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets. In the case of pull-tab lottery tickets and shares, an amount equal to not less than 20% of the total monthly revenues from the sales of pull-tab lottery tickets and shares less estimated returned tickets.

(e) (1) Subject to the limitations set forth in paragraph (2), on July 1, 2017, October 1, 2017, January 1, 2018, April 1, 2018, July 1, 2018, October 1, 2018, January 1, 2019, April 1, 2019, July 1, 2019, October 1, 2019, January 1, 2020, April 1, 2020, July 1, 2020, October 1, 2020, January 1, 2021, April 1, 2021, July 1, 2021, October 1, 2021, January 1, 2022, April 1, 2022, or as soon thereafter such dates as the moneys are available, of moneys deposited in the lottery operating fund that are in excess of the amounts deposited in such fund during fiscal year 2017, 75% of the moneys deposited in the lottery operating fund from the sale of lottery tickets and shares via lottery ticket vending machines shall be transferred by the director of accounts and reports from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% of the moneys deposited in the lottery operating fund from the sale of lottery tickets and shares via lottery ticket vending machines shall be transferred by the director of accounts and reports from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services.

(2) Moneys transferred pursuant to paragraph (1) shall not exceed in the aggregate \$4,000,000 in fiscal year 2018, and shall not exceed in the aggregate \$8,000,000 in each of the fiscal years 2019, 2020, 2021 and 2022.

New Sec. 4. (a) The community crisis stabilization centers fund is hereby created in the state treasury and shall be administered by the Kansas department for aging and disability services. The community crisis stabilization centers fund shall consist of those moneys credited to the community crisis stabilization centers fund pursuant to K.S.A. 74-8711(e), and amendments thereto. All expenditures from the community crisis stabilization centers fund shall be for community crisis stabilization centers operated through community mental health centers, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services.

(b) The clubhouse model program fund is hereby created in the state treasury and shall be administered by the Kansas department for aging and disability services. The clubhouse model program fund shall consist of these moneys credited to the clubhouse model program fund pursuant to K.S.A. 74-8711(e), and amendments thereto. All expenditures from the clubhouse model program fund shall be for certified clubhouse model programs, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services";

Also on page 7, in line 12, after "74-8702" by inserting ", 74-8711";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "machines" by inserting "and revenues derived therefrom"; in line 3, after "74-8702" by inserting "and 74-8711"

Also, on motion of Rep. DeGraaf, **HB 2313** be amended on page 7, following line 11, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 75-6202 is hereby amended to read as follows: 75-6202. As used in ~~this act~~ article 62 of chapter 75 of the Kansas Statutes Annotated, and

amendments thereto:

- (a) "Debtor" means any person who:
- (1) Owes a debt to the state of Kansas or any state agency or any municipality;
 - (2) owes support to an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2016 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended; or
 - (3) owes a debt to a foreign state agency.
- (b) "Debt" means:
- (1) Any liquidated sum due and owing to the state of Kansas, or any state agency, municipality or foreign state agency which has accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum. A debt shall not include special assessments except when the owner of the property assessed petitioned for the improvement and any successor in interest of such owner of property;
 - (2) any amount of support due and owing an individual, or an agency of another state, who is receiving assistance in collecting that support under K.S.A. 39-756 or K.S.A. 2016 Supp. 20-378, and amendments thereto, or under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, which amount shall be considered a debt due and owing the district court trustee or the Kansas department for children and families for the purposes of this act; or
 - (3) any assessment of court costs, fines, fees, moneys expended by the state in providing counsel and other defense services to indigent defendants or other charges which a district court judgment has ordered to be paid to the court and which remain unpaid in whole or in part, and includes any interest or penalties on such unpaid amounts as provided for in the judgment or by law. Such amount also includes the cost of collection when the collection services of a contracting agent are utilized.
- (c) "Refund" means any amount of income tax refund due to any person as a result of an overpayment of tax, and for this purpose, a refund due to a husband and wife resulting from a joint return shall be considered to be separately owned by each individual in the proportion of each such spouse's contribution to income, as the term "contribution to income" is defined by rules and regulations of the secretary of revenue.
- (d) "Net proceeds collected" means gross proceeds collected through final setoff against a debtor's earnings, refund or other payment due from the state or any state agency minus any collection assistance fee charged by the director of accounts and reports of the department of administration.
- (e) "State agency" means any state office, officer, department, board, commission, institution, bureau, agency or authority or any division or unit thereof and any judicial district of this state or the clerk or clerks thereof. "State agency" also shall include any:
- (1) District court utilizing collection services pursuant to K.S.A. 75-719, and amendments thereto, to collect debts owed to such court; and
 - (2) contracting agent, as defined in K.S.A. 75-719, and amendments thereto, with which a district court contracts to collect debts owed to such court. Such contracting agent may directly establish a debt setoff account with the director for the sole purpose of collecting debts owed to courts.
- (f) "Person" means an individual, proprietorship, partnership, limited partnership, association, trust, estate, business trust, corporation, other entity or a governmental agency, unit or subdivision.

(g) "Director" means the director of accounts and reports of the department of administration.

(h) "Municipality" means any municipality as defined by K.S.A. 75-1117, and amendments thereto.

(i) "Payor agency" means any state agency which holds money for, or owes money to, a debtor.

(j) "Foreign state or foreign state agency" means the states of Colorado, Missouri, Nebraska or Oklahoma or any agency of such states which has entered into a reciprocal agreement pursuant to K.S.A. 75-6215, and amendments thereto.

(k) "Third party vendor" means any person that the director enters into an agreement with to execute the collection of a debt as required by this act.

Sec. 4. K.S.A. 75-6203 is hereby amended to read as follows: 75-6203. (a) The collection remedy under this act is in addition to and not in substitution for any other remedy available by law.

(b) Each state agency, foreign state agency and municipality, whenever possible, shall obtain the full name, social security number, address and any other information required by the director of accounts and reports from any person for whom the state agency, foreign state agency or municipality provides any service or with whom the state agency, foreign state agency or municipality transacts any business and who may become a debtor under this act. The director shall provide this information to any third party vendor for the purpose of assisting in the collection of a debt.

(c) Except for debts for which a voluntary agreement for payment has been entered into and is being complied with or debts for which garnishment or other judicial proceedings are pending and except as otherwise directed by the secretary of administration, the director may require any state agency to certify all debts owed to the state agency or to certify all such debts in specified categories of debts, for setoff under K.S.A. 75-6204, and amendments thereto. Any state agency required to certify debts under this subsection shall give the director all information relating to such debts as may be requested by the director.

(d) The secretary of administration as provided in K.S.A. 75-3706, and amendments thereto, may adopt rules and regulations necessary to carry out the provisions of this act.

(e) The secretary of revenue may adopt rules and regulations defining the term "contribution of income" for the purposes of this act.

Sec. 5. K.S.A. 2016 Supp. 75-6204 is hereby amended to read as follows: 75-6204.

(a) Subject to the limitations provided in this act, if a debtor fails to pay a debt or fails to pay to the state of Kansas or any state agency, foreign state agency, municipality or the federal department of the treasury an amount owed, the director, or any third party vendor, may setoff such amount and a reasonable collection assistance fee determined in accordance with K.S.A. 75-6210, and amendments thereto, against any money held for, or any money owed to, such debtor by the state ~~or,~~ any state agency or any third party vendor.

(b) The director may enter into an agreement with a municipality for participation in the setoff program for the purpose of assisting in the collection of a debt ~~as defined by K.S.A. 75-6202, and amendments thereto.~~ The director shall include in any such agreement a provision requiring the municipality to certify that the municipality has made at least three attempts to collect a debt prior to submitting such debt to setoff

pursuant to this act.

(c) The director shall enter into an agreement with a third party vendor for participation in the setoff program for the purpose of assisting in the collection of a debt. The director shall include in any such agreement a provision agreeing to defend, indemnify and hold harmless a third party vendor with regard to all claims, demands, suits, actions, damages, judgments, costs, charges and expenses, including attorney fees, that may be brought or asserted against a third party vendor and that arise from the third party vendor's performance of an agreement to facilitate the collection of debts.

~~(d) (1)~~ Except as provided in subsection ~~(e)~~ (d)(2), the director shall add the cost of collection and the debt for a total amount subject to setoff against a debtor.

(2) Any debts due and owing to an individual, the state of Kansas or an agency of another state that are being enforced by the Kansas department for children and families under part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended, shall not have the cost of collection added to the debt owed and subject to setoff. Such cost of collection shall be paid by the Kansas department for children and families.

New Sec. 6. (a) Prior to any third party vendor paying on behalf of the state any moneys requiring the completion of an internal revenue service form W-2G, the third party vendor, as agent of the state, shall cause the person winning the prize to be matched against the state debtor files maintained by the director of accounts and reports as prescribed under K.S.A. 75-6201 et seq., and amendments thereto. If such person is listed in the state debtor files, the prize shall be withheld by the third party vendor to the extent of such person's debt as set forth in the state debtor files.

(b) The third party vendor is acting strictly as agent for the state and shall not be subject to any civil, criminal or administrative liability for any actions taken pursuant to this section, unless such actions are intentional, malicious or wanton by such third party vendor or employees or agents thereof. The state shall indemnify the third party vendor for any and all expenses, losses, damages and attorney fees that arise directly or indirectly from the performance of activities related to this section. For the purposes of the fair debt collection practices act, and any other federal or state law, the third party vendor shall have all of the protections of the state under the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto. The sole remedy at law for persons who claim prizes were wrongfully withheld pursuant to this section shall be to submit an appeal to the department of administration pursuant to K.S.A. 75-6201 et seq., and amendments thereto.

(c) Moneys withheld, based on the state debtor files, shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. The state treasurer shall deposit the entire amount in the state treasury and credit it to the department of administration's setoff clearing fund.

(d) Nothing in this section shall apply to Native American tribal gaming facilities.

(e) This section shall be part of and supplemental to the state debt setoff program.";
Also on page 7, in line 12, after "74-8719" by inserting "and 75-6203"; also in line 12, by striking the second "and" and inserting a comma; in line 13, after "8723" by inserting ", 75-6202 and 75-6204";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "debt setoff agreements with third party vendors;"; also in line 2, after "74-8719" by inserting "and

75-6203"; in line 3, after "74-8702" by inserting ", 75-6202 and 75-6204" and the bill be passed as amended.

Committee report to **HB 2232** be adopted; and the bill be passed as amended.

On motion of Rep. Ward to amend **SB 68**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and **SB 68** be passed.

Committee report to **HB 2289** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 47**, as amended by Senate Committee, be amended on page 8, in line 35, by striking "will" and inserting "shall";

On page 9, in line 8, by striking "will" and inserting "shall"; in line 17, by striking all after "agriculture"; by striking all in lines 18 through 23; in line 24, by striking all before the period and inserting "veterinary care forms that are maintained in compliance with United States department of agriculture regulations shall meet the requirements of this subsection for United States department of agriculture licensed animal breeders and animal distributors when such forms are made available to the commissioner or the commissioner's authorized, trained representative for inspection";

On page 13, in line 21, by striking "\$20" and inserting "\$10";

On page 14, in line 4, by striking "attempted" and inserting "made a second or subsequent consecutive attempt"; in line 11, by striking "(1)"; in line 13, by striking "(A)" and inserting "(1)"; also in line 13, by striking "\$100" and inserting "\$80"; in line 14, by striking "(B)" and inserting "(2)"; also in line 14, by striking "\$150" and inserting "\$100"; in line 15, by striking "(2)" and inserting "(f)"; in line 16, by striking "this subsection" and inserting "subsections (d) and (e)"; in line 23, by striking "(e)" and inserting "(f)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Appropriations** recommends **HB 2184** be passed.

Committee on **Appropriations** recommends **HB 2362** be amended on page 1, in line 19, after the period by inserting "The alcohol beverage control modernization fee shall expire on June 30, 2022."; in line 36, after the period by inserting "Except as provided further,";

On page 2, in line 2, after the period by inserting "On and after July 1, 2022, the application fee for each initial application shall be \$50.";

On page 3, in line 18, after the period by inserting "Except as provided further,"; in line 20, after the period by inserting "On and after July 1, 2022, the application fee for each initial application shall be \$50.";

On page 1, in the title, in line 4, after the semicolon by inserting "sunset of the fee,"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **Substitute for Substitute**

for **SB 95** be passed.

Committee on **Health and Human Services** recommends **SB 52**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 52," as follows:

"House Substitute for SENATE BILL NO. 52

By Committee on Health and Human Services

"AN ACT concerning pharmacists; filling and refilling prescriptions; amending K.S.A. 65-1635 and repealing the existing section.";

And the substitute bill be passed.

(**H Sub for SB 52** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 184**, as amended by Senate Committee, be passed.

Committee on **Judiciary** recommends **SB 63**, as amended by Senate Committee, be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **SB 89** be amended on page 9, in line 42, by striking all after "collected"; by striking all in line 43;

On page 10, in line 1, by striking all before the period and inserting "shall be retained by the contractor or county treasurer who processed the application";

On page 11, in line 7, before "K.S.A" by inserting "K.S.A. 8-145e and";

On page 1, in the title, in line 1, after the second semicolon by inserting "repealing the repossessed certificates of title fee fund;"; in line 3, after "sections" by inserting "; also repealing K.S.A. 8-145e"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2407, AN ACT concerning real estate; relating to duties of the attorney general and the secretary of administration, by Committee on Appropriations.

HB 2408, AN ACT concerning the department of revenue; relating to persons with access to federal tax information; fingerprinting, by Committee on Taxation.

HB 2409, AN ACT concerning state contracts; relating to contract requirements; limitations on procurement, investment or other policy, by Committee on Appropriations.

HB 2410, AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act; amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-

9509, 72-9609, 72-99a02, 72-99a02, as amended by section 87 of this act, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133 and 72-6482, by Committee on Appropriations.

REPORT ON ENROLLED BILLS

HB 2387 reported correctly enrolled, properly signed and presented to the Governor on March 21, 2016.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, March 23, 2017.

Journal of the House

FORTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 23, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Lord God,
We come to You today with hearts of gratitude
for all You do to watch over and provide for us each day.
Thank You for the many blessings You have given us.
Along with these blessings come a great responsibility
to live and lead by example.
To do this, Your grace and guidance is greatly needed.
Help these leaders to trust not in their own understanding,
but to trust and acknowledge You in all their ways.
If they do this, You will make the way known to them.
The decisions to be made require wisdom and insight
beyond human understanding and ability.
So today, I pray for divine wisdom and discernment
as they work together in making difficult decisions.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Brim.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Markley are spread upon the Journal:

Today I stand before you to honor the Blue Valley Northwest High School 2017 State Champion "We the People" team. This is the 6th state win in a row for the Huskies and the 8th in the last nine years. They will represent Kansas next month in the 30th annual national competition in Washington, DC.

The 'We the People' competition requires in-depth knowledge of the Declaration of Independence, the Constitution, the Bill of Rights and issues relating to the founding documents. In Kansas, this program is sponsored by the Center for Civic Education and Kansas State University.

The following is an example of the type of questions these students research and

debate. This is from the ‘We People High School National Hearing Questions for 2016-2017. Unit 2, Question 3:’

In a speech to his fellow Virginians in 1775 Patrick Henry noted, “I have but one lamp by which my feet are guided, and that is the lamp of experience.”

Question #1- What lessons from history and experiences led the colonists to develop and structure their legislatures and their relationships to their executives and judiciaries the way they did in their new constitutions?

Question #2- To what extent, if at all, did both the Federalists and the Anti-Federalists use the “lamp of experience” in their arguments over the legislative branch during the ratification debates?

Colleagues, take a look, maybe you see yourself in one of these young people. They are the students who care passionately about civics, history, public service and public policy. They are the kids who spend hours and hours researching historical and philosophical foundations of the American political system. They are our future leaders. Students, take a look at the esteemed men and women seated before you on the floor of the Kansas House of Representatives. If you so choose, you too could be a State Representative one day...for better or worse, this could be your future.

My friends, please join me in acknowledging the hard work and accomplishments of these young men and women.

Rep. Markley presented the “We the People” team with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Phelps are spread upon the Journal:

Good morning. This morning, I stand before you to honor Gerard Wellbrock, well known in the Hays area as “The Voice of the Fort Hays State University Tigers.” He is accompanied by his wife Tammy, who is the Executive Director of the Hays Area Chamber of Commerce and his son, Garrett, who is paging for me today.

Gerard has been with KAYS (Eagle Radio) since 1992. He Previously worked for KKAN/KQMA in Phillipsburg.

Gerard will be honored this June in North Carolina for being named the 2016 Kansas Sportscaster of the Year by the National Sports Media Association. He is in his 15th season as play-by-play voice of the Fort Hays State Tigers. He did play-by-play for Hays High and TMP-Marian for 10 years prior to that. Gerard also serves as Sports Director for Eagle Radio in Hays, overseeing the sports operations of five radio stations.

Awards Gerard has received include: recipient of the Kansas Association of Broadcasters Hod Humiston Award for contributions to sports broadcasting; 6-time First Place winner for play-by-play from the Kansas Association of Broadcasters; 3-time winner of the Kansas State High School Activities Association Oscar Stauffer Award for excellence in high school sports broadcasting and Young Alumni Award recipient from Fort Hays State University in 2004. He has served on the board of CASA, is a member of the Jaycees, an annual bell ringer for the Salvation Army and is an instructor in sportscasting at Fort Hays State University.

Rep. Phelps presented Mr. Wellbrock, with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

General Government Budget: **HB 2407, HB 2409.**

K-12 Education Budget: **HB 2410.**

Taxation: **HB 2408.**

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 48, SB 61** from Committee on Agriculture and referral to Committee on Appropriations.

Also, the withdrawal of **HB 2360, HB 2361** from Committee on Appropriations and referral to Committee on General Government Budget.

MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 14**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 20**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **H Sub for SB 51**, requests a conference and has appointed Senators Schmidt, Bollier and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 14**.

Speaker pro tem Schwab thereupon appointed Reps. Vickrey, Dove and Neighbor as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 20**.

Speaker pro tem Schwab thereupon appointed Reps. Kelly, Powell and Finney as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 51**.

Speaker pro tem Schwab thereupon appointed Reps. Hawkins, Concannon and Wilson as conferees on the part of the House.

CONSENT CALENDAR

No objection was made to **SB 63** appearing on the Consent Calendar for the first day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2232, AN ACT concerning adult care homes; relating to electronic monitoring, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not

voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Delperdang.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2289, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; participating service credit; amending K.S.A. 74-4913 and 74-4956 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Landwehr.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2313, AN ACT concerning the Kansas lottery; dealing with lottery ticket vending machines and revenues derived therefrom; repealing the lottery sunset; amending K.S.A. 74-8719 and K.S.A. 2016 Supp. 74-8702 and 74-8711 and repealing the existing

sections; also repealing K.S.A. 2016 Supp. 74-8723, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 25; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Finney, Frownfelter, Gallagher, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Baker, Blex, Carmichael, B. Carpenter, DeGraaf, Delperdang, Ellis, Esau, Francis, Garber, Helgerson, Hoffman, Huebert, Jacobs, K. Jones, Lakin, Landwehr, Mason, R. Powell, Rafie, Schroeder, Smith, E., Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I do not support **HB 2313**. I oppose the expansion of gambling, aka the Kansas Lottery. I am not in favor of Vending Machines that produce false hopes and disappointments at the expense of the people. I am not in favor of a government that is called to protect the people then uses its power to exploit the people in their weaknesses or in their addictions to fund "moral causes." Expanding the scope and accessibility to the addictive properties of gambling all in the name of "state revenue" is wrong and should be against the law. – TREVOR JACOBS, RANDY GARBER, KEVIN JONES

MR. SPEAKER: It is with great reluctance that I vote "No" on **HB 2313**. Clubhouses are important, and some are located in my district. The bill brings necessary funding to this worthwhile program; but I cannot agree to the expansion of gambling, particularly vending machine gambling, as the price of funding Clubhouses. I therefore reluctantly vote "No" on **HB 2313**. – JOHN CARMICHAEL

SB 68, AN ACT concerning health and healthcare; relating to hospitals; enacting the Kansas lay caregiver act, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason,

Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 154**, **SB 110** be passed.

On motion of Rep. Whitmer to refer **SB 26** to Committee on Federal and State Affairs the motion did not prevail; and the bill be passed.

Committee report to **HB 2353** be adopted; on motion of Rep. Davis, **HB 2353** be amended as amended by House Committee, on page 1, in line 14, by striking "Has a mission to employ" and inserting "Employs"; and the bill be passed as amended.

Committee report to **HB 2356** be adopted; on motion of Rep. Frownfelter to amend **HB 2356**, the motion did not prevail.

Also, on motion of Rep. Curtis to amend **HB 2356**, Rep. Mason requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. The motion of Rep. Curtis to amend, did not prevail; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **SB 126**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 126," as follows:

"House Substitute for SENATE BILL NO. 126

By Committee on Children and Seniors

"AN ACT establishing the foster care task force.";

And the substitute bill be passed.

(**H Sub for SB 126** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **HR 6016** be adopted.

Committee on **Financial Institutions and Pensions** recommends **SB 21**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 21," as follows:

"House Substitute for SENATE BILL NO. 21

By Committee on Financial Institutions and Pensions

"AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; amending K.S.A. 2016 Supp. 74-4914 and 74-4937 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-4914f.";

And the substitute bill be passed.

(**H Sub for SB 21** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2306** be amended on page 3, following line 37, by inserting:

"(l) For the purposes of this section, if the person is indigent and without counsel, the court shall appoint counsel to assist such person.";

On page 6, following line 43, by inserting:

"(j) For the purposes of this section, if the person is indigent and without counsel, the court shall appoint counsel to assist such person."; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 40**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 40," as follows:

"House Substitute for SENATE BILL NO. 40

By Committee on Judiciary

"AN ACT concerning human trafficking and related crimes; creating the crimes of unlawful use of communication facility, promoting travel for child exploitation, internet trading in child pornography and aggravated internet trading in child pornography; relating to training for commercial driver's license applicants; sexual exploitation of a child; buying sexual relations; commercial sexual exploitation of a child; offender registration; expungement of juvenile adjudications; victim compensation; amending K.S.A. 2016 Supp. 12-4120, 21-5426, 21-5510, 21-6421, 21-6422, 22-4902, 22-4906, 38-2312, 74-7305 and 75-759 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub for SB 40** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 112**, as amended by Senate Committee, be amended on page 1, following line 6, by inserting:

"New Section 1. (a) All law enforcement agencies in this state shall adopt a detailed, written policy requiring electronic recording of any custodial interrogation conducted at a place of detention.

(b) All local law enforcement agencies in this state shall collaborate with the county or district attorney in the appropriate jurisdiction regarding the contents of written policies required by this section.

(c) Policies adopted pursuant to this section shall be made available to all officers of such agency and shall be available for public inspection during normal business

hours.

(d) Policies adopted pursuant to this section shall be implemented by all Kansas law enforcement agencies on or before July 1, 2018.

(e) Policies adopted pursuant to this section shall include the following:

(1) A requirement that an electronic recording shall be made of an entire custodial interrogation at a place of detention when the interrogation concerns a homicide or a felony sex offense;

(2) a requirement that if the defendant elects to make or sign a written statement during the course of a custodial interrogation concerning a homicide or a felony sex offense, the making and signing of the statement shall be electronically recorded;

(3) a statement of exceptions to the requirement to electronically record custodial interrogations, including, but not limited to:

(A) An equipment malfunction preventing electronic recording of the interrogation in its entirety, and replacement equipment is not immediately available;

(B) the officer, in good faith, fails to record the interrogation because the officer inadvertently fails to operate the recording equipment properly, or without the officer's knowledge the recording equipment malfunctions or stops recording;

(C) the suspect affirmatively asserts the desire to speak with officers without being recorded;

(D) multiple interrogations are taking place, exceeding the available electronic recording capacity;

(E) the statement is made spontaneously and not in response to an interrogation question;

(F) the statement is made during questioning that is routinely asked during the processing of an arrest of a suspect;

(G) the statement is made at a time when the officer is unaware of the suspect's involvement in an offense covered by the policy;

(H) exigent circumstances make recording impractical;

(I) at the time of the interrogation, the officer, in good faith, is unaware of the type of offense involved; and

(J) the recording is damaged or destroyed, without bad faith on the part of any person or entity in control of the recording; and

(4) requirements pertaining to the retention and storage requirements of the electronic recording.

(f) (1) During trial, the officer may be questioned pursuant to the rules of evidence regarding any violation of the policies adopted pursuant to this section.

(2) Lack of an electronic recording shall not be the sole basis for suppression of the interrogation or confession.

(g) Every electronic recording of any statement as required by this section shall be confidential and exempt from the Kansas open records act in accordance with K.S.A. 45-229, and amendments thereto. The provisions of this subsection shall expire on July 1, 2022, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2022.

(h) The following words and phrases, as used in this section, are defined as follows:

(1) "Custodial interrogation" means questioning of a person to whom warnings given pursuant to *Miranda v. Arizona*, 384 U.S. 436 (1966), are required to be given;

(2) "place of detention" means a fixed location under the control of a Kansas law

enforcement agency where individuals are questioned about alleged crimes; and

(3) "electronic recording" means audio or audiovisual recording. An audiovisual recording is preferred.

(i) This section shall take effect on and after July 1, 2017.

Sec. 2. On and after July 1, 2017, K.S.A. 2016 Supp. 21-5414 is hereby amended to read as follows: 21-5414. (a) Domestic battery is:

(1) Knowingly or recklessly causing bodily harm ~~by to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member against a family or household member,~~ or

(2) knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member by ~~a family or household member,~~ when done in a rude, insulting or angry manner.

(b) Aggravated domestic battery is:

(1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or

(2) knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.

~~(b)(c)(1)~~ Domestic battery is:

~~(1)(A)~~ Except as provided in subsection ~~(b)(2)(c)(1)(B)~~ or ~~(b)(3)(c)(1)(C)~~, a class B person misdemeanor and the offender shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200, nor more than \$500 or in the court's discretion the court may enter an order which requires the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program;

~~(2)(B)~~ except as provided in subsection ~~(b)(3)(c)(1)(C)~~, a class A person misdemeanor, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500 nor more than \$1,000. The five days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days imprisonment before the offender is granted probation, suspension or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court or department of corrections; and

~~(3)(C)~~ a person felony, if, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a third or subsequent time, and the offender shall be sentenced to not less than 90 days nor more than one year's

imprisonment and fined not less than \$1,000 nor more than \$7,500. The offender convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the offender has served at least 90 days imprisonment. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court or department of corrections. If the offender does not undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, the offender shall serve not less than 180 days nor more than one year's imprisonment. The 90 days imprisonment mandated by this paragraph may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program.

(2) Aggravated domestic battery is a severity level 7, person felony.

~~(d)~~ As used in this section:

(1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable; and

(2) "family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

~~(e)~~ For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under ~~this section~~ subsection (c)(1):

(A)(1) "Conviction" includes being convicted of a violation of K.S.A. 21-3412a, prior to its repeal, this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

(B)(2) "conviction" includes being convicted of a violation of a law of another state, or an ordinance of any city, or resolution of any county, which prohibits the acts that this section prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

(C)(3) only convictions occurring in the immediately preceding five years including prior to July 1, 2001, shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offender, whichever is applicable; and

(D)(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense.

~~(d)(f)~~ A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of ~~this section subsection (a) or (b)~~ or an ordinance of any city or resolution of any county which prohibits the acts that ~~this section subsection (a) or (b)~~ prohibits only twice during any five-year period.;

Also on page 1, in line 7, before "K.S.A" by inserting "On and after July 1, 2017,";

On page 3, following line 10, by inserting:

"Sec. 5. On and after July 1, 2017, K.S.A. 2016 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) (1) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(2) (A) If a person has been arrested in this state as a result of mistaken identity or as a result of another person using the identifying information of the named person, and the charge against the named person is dismissed or not prosecuted, the prosecuting attorney or other judicial officer who ordered the dismissal or declined to prosecute shall provide notice to the court of such action and petition the district court for the expungement of such arrest record, and the court shall order the arrest record and subsequent court proceedings, if any, expunged and purged from all applicable state and federal systems pursuant to subsection (d).

(B) For purposes of this section, the term "mistaken identity" means the erroneous arrest of a person for a crime as a result of misidentification by a witness or law enforcement, confusion on the part of a witness or law enforcement as to the identity of the person who committed the crime, misinformation provided to law enforcement as to the identity of the person who committed the crime or some other mistake on the part of a witness or law enforcement as to the identity of the person who committed the crime. "Mistaken identity" shall not include any situation in which an arrestee intentionally provides false information to law enforcement officials in an attempt to conceal such person's identity.

(b) (1) When a petition for expungement is filed pursuant to subsection (a)(1), the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(2) When a petition for expungement is filed pursuant to subsection (a)(1) or (a)(2), the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order.

(3) (A) Except as otherwise provided by law, a petition for expungement pursuant to subsection (a)(1) shall be accompanied by a docket fee in the amount of \$176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, 2015, through June 30, 2017, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel. ~~The petition shall state:~~

~~(1) The petitioner's full name;~~

~~(2) the full name of the petitioner at the time of arrest, if different than the~~

petitioner's current name;

- ~~(3) the petitioner's sex, race and date of birth;~~
- ~~(4) the crime for which the petitioner was arrested;~~
- ~~(5) the date of the petitioner's arrest; and~~
- ~~(6) the identity of the arresting law enforcement agency.~~

(B) No surcharge or fee shall be imposed to any person filing a petition pursuant to this section subsection (a)(1), who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2016 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(4) The petition filed pursuant to subsection (a)(1) or (a)(2) shall state:

(A) The petitioner's full name;

(B) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;

(C) the petitioner's sex, race and date of birth;

(D) the crime for which the petitioner was arrested;

(E) the date of the petitioner's arrest; and

(F) the identity of the arresting law enforcement agency.

(c) At the hearing on a petition for expungement pursuant to subsection (a)(1), the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

(2) a court has found that there was no probable cause for the arrest;

(3) the petitioner was found not guilty in court proceedings; or

(4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d)(1) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, on a petition for expungement pursuant to subsection (a)(1), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. If an order of expungement is entered, the petitioner pursuant to subsection (a)(1) shall be treated as not having been arrested.

(2) When the court has ordered expungement of arrest records on a petition for expungement pursuant to subsection (a)(2), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (a)(2). The order shall also direct the Kansas bureau of investigation to purge the arrest information from the criminal justice information system central repository and all applicable state and federal databases. The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation, which shall carry out

the order and shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency that may have a record of the arrest. If an order of expungement is entered, the person eligible for mandatory expungement pursuant to subsection (a)(2) shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes:

(1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a ~~petitioner's~~ person's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed pursuant to subsection (a)(1) shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.";

Also on page 3, in line 11, by striking "21-5709 and"; also in line 11, by striking "are" and inserting "is"; following line 12, by inserting:

"Sec. 7. On and after July 1, 2017, K.S.A. 2016 Supp. 21-5414, 21-5709 and 22-2410 are hereby repealed.";

Also on page 3, in line 14, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "evidence; videotaping of certain felony, custodial interrogations; domestic battery; creating the crime of aggravated domestic battery;"; in line 3, after the first semicolon, by inserting "expungement; arrest records;" also in line 3, after "Supp." by inserting "21-5414,"; by striking "and" and inserting a comma; after "21-5807" by inserting "and 22-2410"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Frownfelter to replace Rep. Wolfe Moore on Committee on Taxation on March 23, 2017.

Also, the appointment of Rep. Carmichael to replace Rep. Henderson on Committee on Federal and State Affairs on March 24, 2017.

REPORT ON ENGROSSED BILLS

HB 2232, HB 2289, HB 2313 reported correctly engrossed March 22, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, March 24, 2017.

Journal of the House

FORTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, March 24, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 122 members present.

Reps. Henderson, Powell and Victors were excused on excused absence by the Speaker.

Prayer by Rep. Jacobs:

Lord God, we thank You for this beautiful Friday morning that You have given us. We thank You, that there is forgiveness and renewal in the name of Jesus. We are honored to invite You to be in our presence. We humbly submit to Your authority and ask You, for Your mercy and grace as we seek to do Your will. Jesus, we need Your guidance and patience. Lead us in Your strength and boldness to stand and to do what is right according to Your Word. We willfully seek Your wisdom and insight as we are about Your divine purpose and business. We also ask for Your protection for our travels home this day, and Your loving kindness and blessings upon our families, our State, and our Nation. We ask that You bring us all back here safely on Monday rested and ready to accomplish all that You have in store for us.

In Jesus Holy name we pray, Amen.

The Pledge of Allegiance was led by Rep. Wolfe Moore.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2411, AN ACT concerning alcoholic beverages; dealing with microbreweries; amending K.S.A. 2016 Supp. 41-308b and repealing the existing section, by Committee on Federal and State Affairs.

HB 2412, AN ACT concerning roads and highways; relating to motor fuels tax, rates, trip permits and distribution of revenues; state highway fund; amending K.S.A. 2016 Supp. 68-416, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections, by Committee on Appropriations.

MESSAGES FROM THE SENATE

Announcing passage of **SB 23, Substitute for SB 69, SB 109.**

Announcing passage of **HB 2066, HB 2164.**

Announcing passage of **HB 2079**, as amended, **HB 2080**, as amended, **HB 2096**, as amended.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 23, Substitute for SB 69, SB 109

CONSENT CALENDAR

No objection was made to **SB 63** appearing on the Consent Calendar for the second day.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2353, AN ACT concerning state contracts and purchases; relating to purchases of products and services from not-for-profit entities; employment of persons with disabilities; qualified vendors; amending K.S.A. 2016 Supp. 75-3317 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, R. Powell, Victors.

The bill passed, as amended.

HB 2356, AN ACT concerning state contracts and purchases; relating to competitive bids; bid preferences to certified businesses; recertification; amending K.S.A. 2016 Supp. 75-3740 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, R. Powell, Victors.

The bill passed, as amended.

SB 26, AN ACT concerning wildlife, parks and tourism; relating to vessels; registration fees; amending K.S.A. 2016 Supp. 32-1172 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 43; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Bishop, Blex, Brim, Campbell, Carlin, Clayton, Concannon, Crum, S., Curtis, E. Davis, Dietrich, Elliott, Ellis, Eplee, Esau, Finney, Francis, Frownfelter, Gallagher, Gartner, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Humphries, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Tarwater, Terrell, Thompson, Trimmer, Weber, C., Weigel, Wheeler, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, Barker, Becker, Burroughs, Carmichael, B. Carpenter, Claeys, Clark, Corbet, Cox, Deere, DeGraaf, Delperdang, Dierks, Dove, Finch, Garber, Good, Hawkins, Hoffman, Houser, Huebert, Jacobs, Jennings, Johnson, K. Jones, Kuether, Landwehr, Mason, Osterman, F. Patton, Pittman, Resman, Ruiz, Seiwert, Sutton, S. Swanson, Thimesch, Vickrey, Ward, Waymaster, Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Henderson, R. Powell, Victors.

The bill passed.

SB 110, AN ACT concerning the state board of regents; relating to supplemental health insurance coverage; authorizing the purchase thereof for certain state employees; amending K.S.A. 2016 Supp. 75-4101 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 100; Nays 22; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Hibbard, Highberger, Hineman, Hodge, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, B. Carpenter, Corbet, DeGraaf, Delperdang, Esau, Garber, Good, Highland, Hoffman, Houser, Jacobs, K. Jones, Landwehr, Mason, Osterman, Resman, Seiwert, Tarwater, Thimesch, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Henderson, R. Powell, Victors.

The bill passed.

SB 154, AN ACT concerning home health agencies; relating to licensure; services provided; amending K.S.A. 65-5102, 65-5103, 65-5107 and 65-5115 and K.S.A. 2016 Supp. 39-1908, 65-5101, 65-5104, 65-5112, 65-5117 and 65-6805 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, R. Powell, Victors.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Claeys in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Claeys, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2273, SB 36** be passed.

On motion of Rep. Dove, **HB 2182** be amended on page 1, in line 9, after "with" by inserting "section 7606 of the agricultural act of 2014, 7 U.S.C. § 5940, and other"; in line 22, after the period by inserting "The secretary of agriculture is directed to implement the provisions of this act as an agricultural pilot program, as defined in section 7606 of the agricultural act of 2014, 7 U.S.C. § 5940, and to encourage and facilitate research in accordance with this act.";

On page 2, in line 4, by striking "metal" and inserting "meal"

Also, on motion of Rep. E. Smith, **HB 2182** be amended on page 3, in line 25, after the period by inserting "The secretary shall provide copies of all licenses issued to the Kansas bureau of investigation and to city or county law enforcement agencies with jurisdiction for the location of the licensee's address or the location where industrial hemp is processed, grown or cultivated and shall provide the location where such activities are licensed to occur. The secretary shall immediately notify the Kansas bureau of investigation and the city or county law enforcement agency with jurisdiction for the location of the licensee's address or the location where the industrial hemp is processed, grown or cultivated of any revocation or expiration of the licensee's license." and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2194** be adopted; and **Sub HB 2194** be passed.

Committee report to **SB 16** be adopted; on motion of Rep. Vickrey, be amended as amended by House Committee, on page 1, in line 7, before "Section" by inserting "New";

On page 5, in line 4, before "Sec." by inserting "New";

On page 13, following line 3, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 40-201a is hereby amended to read as follows: 40-201a.
(a) The marketing, sale, offering for sale, issuance, making, proposing to make and administration of a service contract shall not be construed to be the business of insurance and shall be exempt from regulation as insurance pursuant to chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(b) For the purposes of this section;

(1) "Service contract" means a contract or agreement for a separate or additional consideration, for any specified duration, to service, repair, replace or maintain all or any part of any structural component, appliance or utility system of any residential property, consumer good or other property; or to indemnify for service, repair, replacement or maintenance for consumer good or other property, due to a defect in materials, workmanship, normal wear and tear; or as a result of power surges or as a result of accidental damage from the handling of any consumer good or other property, with or without additional provision for indemnity payments, when service repair or

replacement is not reasonably, commercially or economically feasible. A service contract may also include additional provisions for incidental payment of indemnity under limited circumstances, including, but not limited to, towing, rental and emergency road service.

(2) "Service contract" also includes any nonconsumer commercial service contract.

(3) "Service contract" does not include an automobile club service as defined in K.S.A. 40-2507, and amendments thereto.

(4) "Service contract" includes, but is not limited to, a contract that offers any one or more of the following services:

(A) The repair or replacement of tires or wheels on a motor vehicle damaged as a result of coming into contact with road hazards;

(B) the removal of dents, dings or creases on a motor vehicle that can be repaired using the process of paintless dent removal without affecting the existing paint finish and without replacing vehicle body panels, sanding, bonding or painting; and

(C) the replacement of a motor vehicle key or key-fob in the event that the key or key-fob becomes inoperable or is lost or stolen.

(5) "Road hazard" means a hazard that is encountered while driving a motor vehicle, including, but not be limited to, potholes, rocks, wood debris, metal parts, glass, plastic, curbs or composite scraps.

(c) (1) No service contract ~~which that~~ is exempt from regulation as insurance pursuant to chapter 40 of the Kansas Statutes Annotated, and amendments thereto, pursuant to this section shall contain any provision for consequential damages unless such consequential damages are caused by the failure of service, repair, replacement or maintenance rendered under the service contract.

(2) No service contract ~~which that~~ is exempt from regulation as insurance pursuant to chapter 40 of the Kansas Statutes Annotated, and amendments thereto, pursuant to this section shall contain any provision, except as exempt by this section, ~~which that~~ would otherwise be covered by a contract of property or liability insurance issued in this state.

Sec. 4. K.S.A. 2016 Supp. 40-201a is hereby repealed. ";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, before the period by inserting "; exemption from regulation as insurance, service contracts; amending K.S.A. 2016 Supp. 40-201a and repealing the existing section"; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 55**, as amended by Senate Committee, be passed.

Committee on **Education** recommends **SB 174** be passed.

Committee on **Elections** recommends **Sub SB 8** be amended by substituting a new bill to be designated as "House Substitute for Substitute SENATE BILL NO. 8," as follows:

"House Substitute for Substitute SENATE BILL NO. 8

By Committee on Elections

"AN ACT concerning elections; amending K.S.A. 19-3419, 25-1132, 25-1133, 25-

1134, 25-1136 and 25-4144 and K.S.A. 2016 Supp. 25-101, 25-213, 25-611, 25-618, 25-1122, 25-3107, 25-4145 and 25-4148b and repealing the existing sections; also repealing K.S.A. 19-3419a.";

And the substitute bill be passed.

(**H Sub for Sub SB 8** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **HB 2145** be passed.

Committee on **Judiciary** recommends **HB 2391** be passed.

Committee on **Judiciary** recommends **HB 2040**, as amended by House Committee, be amended on page 2, in line 2, by striking all after "(A)"; by striking all in lines 3 through 5; in line 6, by striking "(B)"; in line 15, by striking all after "(3)"; by striking all in lines 16 and 17; in line 18, by striking "thereto" and inserting "For the purpose of enforcement pursuant to this subsection:

(A) A copy of a certificate sworn to or affirmed by a law enforcement officer and stating that, based upon inspection of recorded images, a motor vehicle was operated in violation of subsection (a) and that a particular person depicted on a recorded image from a video recording device operated such vehicle shall be prima facie evidence of the facts contained therein; and

(B) evidence that the person particularly described in a citation issued pursuant to this subsection operated a vehicle in violation of subsection (a), shall create a rebuttable presumption that such person was the driver of such vehicle at the time of the alleged violation. Such presumption may be rebutted by competent evidence";

Also on page 2, by striking all in lines 28 through 31;

By redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, in line 19, after the first period by inserting "Such citation shall include:

(1) The date, time and location of the alleged violation, the amount of the fine imposed and the date by which such fine shall be paid;

(2) an image taken from the recorded images showing the vehicle and particular person involved in the alleged violation;

(3) a copy of a certificate sworn to or affirmed by a law enforcement officer stating that, based upon inspection of recorded images, a motor vehicle was operated in violation of subsection (a);

(4) a statement of the rebuttable presumption provided in K.S.A. 8-1556(e)(3)(B), and amendments thereto;

(5) information advising the owner of the motor vehicle of the manner and time in which liability as alleged in the citation may be contested in court; and

(6) a warning that failure to contest liability in a timely manner shall waive any right to contest liability."; and the bill be amended without recommendation.

Committee on **Judiciary** recommends **SB 50**, as amended by Senate Committee of the Whole, be amended on page 1, following line 6, by inserting:

"New Section 1. (a) A person who is not licensed or otherwise authorized by the Kansas supreme court to practice law in this state shall not do any of the following:

(1) Commit any act or omission that is prohibited by the Kansas supreme court, either by court rule or by common law, as being the unauthorized practice of law;

(2) hold out to the public or otherwise represent, expressly or by implication, that

such person is admitted to practice law in this state;

(3) solicit payment or other consideration, whether in cash or in-kind, for services that would constitute the unauthorized practice of law in this state if performed at or about the time of such solicitation; or

(4) offer or attempt to do any act prohibited by this subsection.

(b) A violation of subsection (a) constitutes an unconscionable act or practice in violation of K.S.A. 50-627, and amendments thereto, whether or not it involves a consumer, a consumer transaction or a supplier, as defined in K.S.A. 50-624, and amendments thereto.

(c) For the purposes of this section:

(1) "Person" means an individual who, or any corporation, agency, partnership, association or other legal entity that, knowingly aids or abets a person to commit acts or omissions that violate this section;

(2) a person described in subsection (a) shall be deemed a supplier within the meaning of K.S.A. 50-624, and amendments thereto; and

(3) an individual, sole proprietor, partnership, corporation, limited liability company, the state or a subdivision or agency of the state aggrieved by a violation of subsection (a) shall be deemed a consumer within the meaning of K.S.A. 50-624, and amendments thereto.

(d) Any remedies or penalties imposed pursuant to this section shall be in addition to, and not instead of, any remedies or penalties available under the contempt power of any court.

(e) The provisions of this section shall not apply to statewide, judicial district or municipal court-supervised public assistance offices and programs, victims assistance programs operated by a county or district attorney, court clerk, county law library, legal aid services providers, legal outreach programs operated by a state or local bar association or an employee of any such entity acting within the scope of employment.

(f) This section shall be part of and supplemental to the Kansas consumer protection act.":

Also on page 1, in line 27, by striking "appoint" and inserting "designate"; in line 30, after the period by inserting "If such chairperson is not a member of the Kansas bar and there is not another member of the standing house committee on judiciary who is a member of the Kansas bar, the speaker of the house of representatives may designate the revisor of statutes to serve as a member in lieu of a house member for the speaker's then-current term as a legislator. The revisor of statutes may designate an assistant revisor to serve in lieu of the revisor."; in line 33, by striking "appoint" and inserting "designate";

On page 2, in line 4, by striking "such"; by striking all in lines 5 through 7; in line 8, by striking all before the period and inserting "the president of the senate may designate the revisor of statutes to serve as a member in lieu of a senate member for the president's then-current term as a legislator. The revisor of statutes may designate an assistant revisor to serve in lieu of the revisor";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the legislature" and inserting "attorneys"; also in line 1, after "to" by inserting "the Kansas consumer protection act; unauthorized practice of law;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 101**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 101," as follows:

"House Substitute for SENATE BILL NO. 101

By Committee on Judiciary

"AN ACT concerning crime victims; relating to protection orders; protection from abuse act; protection from stalking act; sexual assault evidence collection examinations and parental notification; the crime victims compensation board and claims for compensation; amending K.S.A. 60-3102, 60-31a01, 60-31a03, 60-31a07, 60-31a08 and 60-31a09 and K.S.A. 2016 Supp. 21-5924, 60-31a02, 60-31a04, 60-31a05, 60-31a06, 65-448 and 74-7305 and repealing the existing sections.";

And the substitute bill be passed.

(**H Sub SB 101** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 124** be amended on page 1, in line 32, after "behavior" by inserting "or threat thereof";

On page 2, following line 23, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 38-2249 is hereby amended to read as follows: 38-2249. (a) In all proceedings under this code, the rules of evidence of the code of civil procedure shall apply, except that no evidence relating to the condition of a child shall be excluded solely on the ground that the matter is or may be the subject of a physician-patient privilege, psychologist-client privilege or social worker-client privilege.

(b) (1) The judge presiding at all hearings under this code shall not consider or rely upon any report not properly admitted according to the rules of evidence, except as provided by K.S.A. 2016 Supp. 38-2219, and amendments thereto.

(2) In all proceedings under this code, a report concerning the results and analysis of a court-ordered test of a person's blood, breath, urine or other bodily substance to determine the presence of alcohol or drugs shall be admissible in evidence if the report is prepared and attested to by the person conducting the test or an authorized employee of the facility that conducted the test. Such person shall prepare a certificate that includes an attestation as to the result and analysis of the test and sign the certificate under oath. Nothing in this section shall prevent a party from calling such person as a witness.

(c) In any proceeding in which a child less than 13 years of age is alleged to have been physically, mentally or emotionally abused or neglected or sexually abused, a recording of an oral statement of the child, or of any witness less than 13 years of age, made before the proceeding began, is admissible in evidence if:

(1) The court determines that the time, content and circumstances of the statement provide sufficient indicia of reliability;

(2) no attorney for any party or interested party is present when the statement is made;

(3) the recording is both visual and aural and is recorded on film, videotape or by other electronic means;

(4) the recording equipment is capable of making an accurate recording, the operator of the equipment is competent and the recording is accurate and has not been altered;

(5) the statement is not made in response to questioning calculated to lead the child

to make a particular statement or is clearly shown to be the child's statement and not made solely as a result of a leading or suggestive question;

(6) every voice on the recording is identified;

(7) the person conducting the interview of the child in the recording is present at the proceeding and is available to testify or be cross-examined by any party or interested party; and

(8) each party or interested party to the proceeding is afforded an opportunity to view the recording before it is offered into evidence.

(d) On motion of any party to a proceeding pursuant to the code in which a child less than 13 years of age is alleged to have been physically, mentally or emotionally abused or neglected or sexually abused, the court may order that the testimony of the child, or of any witness less than 13 years of age, be taken:

(1) In a room other than the courtroom and be televised by closed-circuit equipment in the courtroom to be viewed by the court and the parties and interested parties to the proceeding; or

(2) outside the courtroom and be recorded for showing in the courtroom before the court and the parties and interested parties to the proceeding if:

(A) The recording is both visual and aural and is recorded on film, videotape or by other electronic means;

(B) the recording equipment is capable of making an accurate recording, the operator of the equipment is competent and the recording is accurate and has not been altered;

(C) every voice on the recording is identified; and

(D) each party and interested party to the proceeding is afforded an opportunity to view the recording before it is shown in the courtroom.

(e) At the taking of testimony under subsection (d):

(1) Only an attorney for each party, interested party, the guardian ad litem for the child or other person whose presence would contribute to the welfare and well-being of the child and persons necessary to operate the recording or closed-circuit equipment may be present in the room with the child during the child's testimony;

(2) only the attorneys for the parties may question the child; and

(3) the persons operating the recording or closed-circuit equipment shall be confined to an adjacent room or behind a screen or mirror that permits such person to see and hear the child during the child's testimony, but does not permit the child to see or hear such person.

(f) If the testimony of a child is taken as provided by subsection (d), the child shall not be compelled to testify in court during the proceeding.

(g) (1) Any objection to a recording under subsection (d)(2) that such proceeding is inadmissible must be made by written motion filed with the court at least seven days before the commencement of the adjudicatory hearing. An objection under this subsection shall specify the portion of the recording which is objectionable and the reasons for the objection. Failure to file an objection within the time provided by this subsection shall constitute waiver of the right to object to the admissibility of the recording unless the court, in its discretion, determines otherwise.

(2) The provisions of this subsection shall not apply to any objection to admissibility for the reason that the recording has been materially altered.";

Also on page 2, in line 24, by striking "and" and inserting a comma; also in line 24,

after "23-3203" by inserting "and 38-2249";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "the" by inserting "care of children; relating to the"; also in line 1, by striking "relating to"; in line 2, after the second semicolon by inserting "relating to the revised Kansas code for the care of children; rules of evidence; admissibility of certain test results;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "23-3203" by inserting "and 38-2249"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 149** be amended on page 1, following line 11, by inserting:

"Sec. 2. (a) The attorney general may determine, fix and establish a system of legal representation charges and collect such charges from any state agency to which the attorney general provides legal services. The attorney general may determine the amount of legal representation charges due from a state agency by use of a schedule of fees and costs for legal services published by the attorney general or by entering into an agreement with a state agency for payment by such agency for legal services. Such schedule of fees and costs shall not exceed the amount of compensation established pursuant to K.S.A. 22-4507, and amendments thereto, for attorneys appointed by the court to perform services for an indigent person.

(b) As used in this section:

(1) "State agency" means any department of state government or any agency thereof that collects fees for licensing, regulating or certifying a person or profession;

(2) "legal representation charges" means any costs, fees, expenses or other financial liability incurred by the attorney general, including, but not limited to, attorney fees, to provide legal services to a state agency; and

(3) "legal services" means any form of legal advice, representation or counseling involving an attorney-client relationship, including, but not limited to, general counsel services and representation of a state agency in any administrative law matter. "Legal services" includes legal services provided at the attorney general's discretion at the request of a state agency and legal services the attorney general is required by law to provide to a state agency. "Legal services" shall not include any representation provided pursuant to the Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto, or the defense of civil rights claims pursuant to K.S.A. 75-6116, and amendments thereto.

(c) The amounts collected under this section shall be remitted by the attorney general to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the attorney general's state agency representation fund, which is hereby created. Moneys in the attorney general's state agency representation fund shall be expended by the attorney general for operations of the office of the attorney general.

(d) Nothing in this section shall impose an obligation for the attorney general to provide legal services to any state agency.

(e) The attorney general may adopt rules and regulations as necessary to implement this section.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "appeals" by inserting "; legal representation charges; legal services; creating the attorney general's state agency representation fund"; and the bill be passed as amended.

Committee on **Transportation** recommends **Substitute for SB 74**, as amended by Senate Committee of the Whole, be passed.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 55, by Representative Alford, congratulating Braxton Moral on his outstanding scholastic achievements;

Request No. 56, by Representative Humphries, honoring Dr. Shaker Dakhil and Mrs. Kathie Dakhil for their selection as Kansas Humanitarians of the Year;

Request No. 57, by Representative Humphries, honoring Mr. Jack DeBoer and Mrs. Marilyn DeBoer for their selection as Kansas Humanitarians of the Year;

Request No. 58, by Representative Finney, congratulating Bishop Mark L. Gilkey on the celebration of the Centennial Anniversary of the Church of God in Christ in the State of Kansas;

Request No. 59, by Representative Finney, congratulating Bishop Jack C. Vaughn on the celebration of the Centennial Anniversary of the Church of God in Christ in the State of Kansas;

Request No. 60, by Representative Finney, congratulating Bishop Ervin Sims, Jr. on the celebration of the Centennial Anniversary of the Church of God in Christ in the State of Kansas;

Request No. 61, by Representative Alcalá, congratulating Bishop Milton P. Jackson on the celebration of the Centennial Anniversary of the Church of God in Christ in the State of Kansas;

Request No. 62, by Representative Henderson, congratulating Bishop Lemuel F. Thustin on the celebration of the Centennial Anniversary of the Church of God in Christ in the State of Kansas;

Request No. 63, by Representative Murnan, congratulating Pittsburg Rotary Club on its 100th anniversary;

Request No. 64, by Representative Deere, commending Marie Caraccilo on winning the national DECA Herff Jones Marketing Results Challenge;

Request No. 65, by Representative Deere, commending Mykala Caraccilo on winning the national DECA Herff Jones Marketing Results Challenge;

Request No. 66, by Representative Phelps, commending Scout Perryman on achieving the rank of Eagle Scout;

Request No. 67, by Representative Schreiber, congratulating Kelly Moten for being named the NCAA Division II Women's Basketball Player of the Year;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2413, AN ACT concerning crimes and criminal procedure; relating to the Kansas indoor clean air act; definitions, exceptions; amending K.S.A. 2016 Supp. 21-6109 and 21-6110 and repealing the existing sections, by Committee on Appropriations.

HB 2414, AN ACT concerning real estate appraisers; relating to appraisal practice standards; amending K.S.A. 2016 Supp. 58-4121 and repealing the existing section, by Committee on Federal and State Affairs.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Carmichael to replace Rep. Henderson on Committee on Federal and State Affairs on March 27, 2017.

Also, the appointment of Rep. Crum to replace Rep. Sawyer on Committee on K-12 Education Budget on March 24, 2017.

Also, the appointment of Rep. Hodge to replace Rep. Sawyer on Committee on Federal and State Affairs on March 27, 2017.

REPORT ON ENGROSSED BILLS

HB 2353, **HB 2356** reported correctly engrossed March 23, 2017.

REPORT ON ENROLLED BILLS

HB 2109, **HB 2192** reported correctly enrolled, properly signed and presented to the Governor on March 24, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Monday, March 27, 2017.

Journal of the House

FORTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, March 27, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 121 members present.

Reps. Delperdang, Henderson, Huebert and Williams were excused on excused absence by the Speaker.

Present later: Reps. Delperdang and Huebert.

Prayer by Chaplain Brubaker:

Lord God,
Thank You for this new day and week
You have given us to continue to serve
and represent the residents of this great state.
Thank you that You are the God of the impossible.
Help each leader to trust in Your ability and not their own.
Teach them to see the difficult challenges from Your perspective.
Help them to focus on You and Your wisdom
as they determine the various decisions to be made.
Psalm 82:1 says that
“God presides in the great assembly...”
I do ask that You lead and guide these leaders
through all the obstacles they face this week.
Remind them that they need not figure everything out on their own,
that You already know the best plan and it is Your desire
to do what’s right for all the people.
Help each one to truly grasp and believe
that with You, nothing is impossible.
This I ask in Your Son’s Name,
Amen.

The Pledge of Allegiance was led by Rep. Karleskint.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 109**.

Federal and State Affairs: **HB 2411, HB 2413, HB 2414**.

Health and Human Services: **Sub SB 69**.

Insurance: **SB 23**.

Taxation: **HB 2412**.

CONSENT CALENDAR

No objection was made to **SB 63** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 63, AN ACT enacting the revised uniform fiduciary access to digital assets act; amending K.S.A. 58a-816 and 59-3078 and K.S.A. 2016 Supp. 58-654, 59-3075 and 77-201 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Delperdang, Henderson, Huebert, Johnson, K. Williams.

The bill passed.

HB 2182, AN ACT concerning economic development; relating to agribusiness development of an industrial hemp industry; enacting the Kansas agricultural industry growth act; amending K.S.A. 2016 Supp. 21-5702 and repealing the existing section, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 103; Nays 18; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dove, Elliott, Eplee, Esau, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kessinger, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Phelps, Pittman, Proehl, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith,

A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Blex, Brim, Clark, DeGraaf, Dietrich, Ellis, Finch, Jacobs, K. Jones, Kelly, Koesten, Lakin, F. Patton, Phillips, R. Powell, Rafie, Schroeder.

Present but not voting: None.

Absent or not voting: Delperdang, Henderson, Huebert, K. Williams.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2182**. The idea of researching the viability of industrial hemp as a new area of economic investment and growth is innovative and laudable. Unfortunately, I cannot support HB 2182 until we can outline more clearly how university research will be funded and how HB 2182 will impact the enforcement of current laws already in statute. — JOY KOESTEN, SHELEE BRIM, ABE RAFIE

Sub HB 2194, AN ACT concerning motor vehicles; relating to motorcycles, approved safety training curriculum, location for safety courses; amending K.S.A. 2016 Supp. 8-240 and 8-272 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, Huebert, K. Williams.

The substitute bill passed.

HB 2273, AN ACT concerning consumer protection; relating to the Kansas no-call act; restricting use of automatic dialing-announcing devices; amending K.S.A. 2016 Supp. 50-670 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Landwehr.

Present but not voting: None.

Absent or not voting: Henderson, Huebert, K. Williams.

The bill passed.

SB 16, AN ACT concerning insurance; relating to insurers; internationally active insurance groups; corporate governance; exemption from regulation as insurance, service contracts; amending K.S.A. 2016 Supp. 40-201a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Garber, Jacobs, K. Jones, Landwehr, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Henderson, Huebert, K. Williams.

The bill passed, as amended.

SB 36, AN ACT concerning the state corporation commission; relating to motor carriers, definitions, registration; amending K.S.A. 66-125 and K.S.A. 2016 Supp. 8-135, 8-2703, 16-121, 66-1,108, 66-1,108b, 66-1,109 and 66-1,139 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not

voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Raffe, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Garber, Jacobs.

Present but not voting: None.

Absent or not voting: Henderson, Huebert, K. Williams.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Rahjes in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rahjes, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2280**, **SB 100**, **HB 2386** be passed.

Committee report to **HB 2047** be adopted; on motion of Rep. Holscher to amend **HB 2047**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Ward to amend **HB 2047**, I move to amend **HB 2047**, as amended by House Committee, on page 10, following line 34, by inserting:

"New Sec. 3. (a) The legislature shall approve, through the enactment of an act or appropriation act of the legislature, all waiver applications and submission data prior to their submission to the federal centers for medicare and medicaid services.

(b) The secretary for aging and disability services shall provide copies of all waiver applications and submission data to the following, prior to obtaining legislative approval:

- (1) The senate standing committee on ways and means;
- (2) the house standing committee on appropriations;
- (3) the senate standing committee on public health and welfare; and
- (4) the house standing committee on health and human services.

(c) No state agency shall make or implement any changes to the structure, scope, funding, services or administration of the state program of medical assistance, any home and community based services waivers administered thereunder or any other waivers related thereto without express prior authorization by an act of the Kansas legislature.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "the state program for medical assistance; relating to"; also in line 1, after the semicolon by inserting "requiring legislative approval of waiver applications prior to submission;"

On roll call, the vote was: Yeas 54; Nays 68; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Dietrich, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Hibbard, Highberger, Hodge, Holscher, Judd-Jenkins, Koesten, Kuether, Lewis, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Rooker, Ruiz, Sawyer, Schroeder, Sloan, Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Markley, Mastroni, Orr, Osterman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer.

Present but not voting: None.

Absent or not voting: Henderson, Mason, K. Williams.

The motion of Rep. Ward to amend did not prevail and **HB 2047** be passed as amended.

Committee report to **HB 2306** be adopted; and the bill be passed as amended.

Committee report to **SB 112** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 21** be adopted; and **H Sub for SB 21** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2319** be passed.

Committee on **Federal and State Affairs** recommends **Substitute SB 85** be passed.

Committee on **General Government Budget** recommends **HB 2360**, **HB 2409** be passed.

Committee on **General Government Budget** recommends **HB 2407** be amended on page 1, in line 20, after "thereto" by inserting ", or a community college as defined in K.S.A. 70-701(d), and amendments thereto"; and the bill be passed as amended.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Carmichael to replace Rep. Sawyer on Committee on Federal and State Affairs on March 27 through March 30.

REPORT ON ENGROSSED BILLS

HB 2182 reported correctly engrossed March 24, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6014 reported correctly enrolled and properly signed on March 27, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, March 28, 2017.

Journal of the House

FIFTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, March 28, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Reps. Alford and Williams were excused on excused absence by the Speaker.

Prayer by guest chaplain, William A. Jones, President, Bethany College, Lindsborg, and guest of Rep. Concannon:

Dear Giver, Sustainer, and Renewer of Life,

Thank you for spring. We are grateful for the additional sunshine found in longer days, for warmer temperatures, for spring showers, for the bloom and the growth, and for the sweet harmony sung by all of creation this time of year. Thank you for the opportunity to arise anew.

Thank you for the Kansas House of Representatives and the servant leaders who labor here. On this morning, we ask you to give them love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control. Please bless these Representatives, their staff members, and their communities.

As they legislate during this season of renewal, dear God, may we all resolve to give food to the hungry and drink to the thirsty. May we welcome the stranger, care for the sick, and visit those who are in prison. We pray that such acts of your love outnumber the seeds of all the sunflowers past, present, and future.

May young and old from the Kansas prairie to the Neosho River, from small towns to big cities, be inspired by the love this body has for you and for all people.

Amen.

The Pledge of Allegiance was led by Rep. Frownfelter.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Schreiber are spread upon the Journal:

Colleagues, I want to introduce Kelly Moten, a member of the Emporia State Lady Hornets, and her coach Jory Collins. Kelly was recently named as the NCAA Division II Women's Basketball National Player of the Year. Coach Collins and Kelly led the Lady Hornets to the national Sweet Sixteen this year.

Emporia State is a member of the Mid-America Intercollegiate Athletic Association (MIAA), which is one of the toughest conferences in the country. Their competition includes Ft. Hays State University, Washburn and Pitt State, as well as teams from Nebraska, Missouri and Oklahoma. It is not uncommon to have 2 or 3 of these teams nationally ranked every year.

But before we present Kelly with a certificate, let me tell you her backstory. Kelly grew up in Gary, Indiana. Coach Collins told the *Emporia Gazette* when he went to Kelly's house for a recruiting visit the first time, "I'm sure there's nice parts to Gary, but I didn't see any on that trip." Kelly was successful at the high school level, but wasn't recruited for college ball...until Coach Collins came to visit.

She worked extremely hard to get where she is today, fighting to become better every day as a person and a teammate. In one particularly hard time between her sophomore and junior years, she lost several close friends. She contemplated not continuing to play basketball. But as she has shown on the court innumerable times, she persisted and grew to become not only a great ballplayer, but also a dependable and valuable teammate.

Her on-court accomplishments include being the first player in Division II history to score 1900 points, grab 600 rebounds, dish out 500 assists, make 200 steals and 100 blocked shots! She was also selected as the Central Region Player of the Year, the MIAA Player of the Year, Defensive Player of the Year and was the first player to earn MIAA All-Tournament Team honors four straight years.

Besides her on-court skills which have captivated Emporia State fans for years, Kelly has also become a strong role model for young women.

Please help me congratulate Kelly Moten on her many honors.

In recognition of her accomplishments on and off the court, Rep. Schreiber presented Ms. Moten with a framed House certificate.

MESSAGES FROM THE SENATE

The Senate nonconcurs in House amendments to **SB 16**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 16**.

Speaker pro tem Schwab thereupon appointed Reps. Vickrey, Dove and Neighbor as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Johnson, **HR 6024**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6024** –

By Reps. Johnson and Concannon,

HR 6024—A RESOLUTION commemorating Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas.

WHEREAS, Swedish immigrants, inspired by their commitment to educate those without access to education, established Bethany College in 1881 and started a long tradition of quality education in Kansas; and

WHEREAS, Bethany College is affiliated with the Evangelical Lutheran Church in America; and

WHEREAS, Bethany College is located in Lindsborg, Kansas, the Fine Arts and Crafts Capital of Kansas, and offers students the opportunity to live and study in one of Kansas' most distinctive communities. Lindsborg abounds with artist studios, art galleries, craft shops, import gift shops and other attractions, such as the Birger Sandzén Memorial Gallery, located on the Bethany campus, the Lester Raymer Red Barn Studio, and the McPherson County Old Mill Museum and historical complex; and

WHEREAS, Bethany College's cultural impact in the area includes the longest-running presentation of Handel's "Messiah" in the United States, which has run for 136 consecutive years, and being the home of Bethany Oratorio Society, which consists of more than 320 members from communities across Central Kansas. Its wide selection of theatrical offerings, gallery art exhibitions, and lectures, which include the annual Pearson Distinguished Professor of Swedish Studies lecture series, all add to the cultural fabric of the Smoky Valley; and

WHEREAS, Bethany College is home to Presser Hall Auditorium, which was built in 1928 and is recognized as one of the finest music facilities in the United States. Today, Presser Hall serves as the mainstage for the Bethany Oratorio Society and many other college and community cultural productions. It also houses the Thomson-Mingenback Concert Organ, one of the largest pipe organs in the central United States, which has more than 4,000 pipes that range in size from 8 inches to 32 feet; and

WHEREAS, There are more than 4,500 Bethany College alumni who live in Kansas, including more than 1,300 who reside in McPherson and Saline counties. Bethany College alumni are successful in many areas. They include 610 alumni who serve as teachers, coaches or administrators in Kansas schools, 74 who serve as doctors, dentists, veterinarians and pharmacists in Kansas, and hundreds of business leaders throughout Kansas; and

WHEREAS, Bethany alumni, serving Kansas as successful professionals, who love God and love people include: Terry Holdren, CEO/General Counsel of the Kansas Farm Bureau and recently appointed governor's task force member; Sarah Schiltz, the youngest female partner in the history of MarksNelson in Kansas City; Matt Allen, city manager of Garden City; Collin Carlson, a Salina South High School teacher who was awarded the Horizon Teacher of the Year award in 2015; Art Newcomer, a retired Kansas education administrator and athletic director; Dr. Keir Swisher, director of emergency medicine at Salina Regional Health Center; and Dr. Justin Klaassen, a

trauma surgeon in Salina; and

WHEREAS, Bethany alumni business leaders include Ron Paulseen, owner of Paulseen Financial Group, Wichita; Ross and Grant Tidemann, real estate brokers with J.P. Weigand & Sons, Inc., Wichita; agri-leaders Vance and Louise Ehmke, Healy; Ed and Nelson Newcomer, owners of the D.H. Pace Company's Overhead Door Group, Olathe; and Mark Houghton, owner of Central Plastics, Inc., McPherson; and

WHEREAS, Bethany alumni also serve as elected officials in Kansas and include Susan Concannon, Beloit, a member of the Kansas House of Representatives representing the 107th District; and

WHEREAS, Bethany College contributes to the economic well-being of Central Kansas by adding more than \$15 million annually to the regional economy through more than 700 students from 38 states and 22 countries, more than 100 full-time faculty and staff, and nearly 70 part-time faculty and staff; and

WHEREAS, The mission of Bethany College is to educate, develop and challenge individuals to seek truth and excellence as they lead lives of faith, learning and service. All those associated with Bethany College – students, faculty, staff and alumni – are united behind Bethany's core values of integrity, hospitality, community, servant leadership and sustainability. These are the values at the heart of the Bethany College experience: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commemorate Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas; and

Be it further resolved: That we are honored to offer Bethany College sincere congratulations and wish the college many more successful years; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Johnson.

Reps. Johnson and Concannon read **HR 6024**, and introduced President William A. Jones and representatives of Bethany College.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. DeGraaf, **HR 6025**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6025** –

By Representatives DeGraaf, Alford, Baker, Barker, Blex, Brim, Carpenter, Delperdang, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Garber, Gartner, Good, Highland, Hineman, Hoffman, Humphries, Jacobs, Karleskint, Lakin, Landwehr, Lewis, Mason, Ohaebosim, Orr, Osterman, Patton, Pittman, Powell, Proehl, Resman, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, A. Smith, E. Smith, Tarwater, Terrell, Waymaster, Whitmer and Williams

HR 6025—A RESOLUTION recognizing the month of April as Parkinson's Disease Awareness Month.

WHEREAS, Parkinson's disease is the second most common neurodegenerative disease in the United States, second only to Alzheimer's disease; and

WHEREAS, It is estimated that Parkinson's disease affects over 1,000,000 people in the United States, including thousands of Kansans; and

WHEREAS, The exact cause and progression of the disease is still unknown; and
WHEREAS, There is no objective test for Parkinson's disease, which results in a high rate of delayed diagnosis or misdiagnosis; and

WHEREAS, Symptoms of Parkinson's disease vary from person to person and can include tremors, slowness, difficulty with balance, swallowing, chewing and speaking, rigidity, cognitive problems, dementia, mood disorders, such as depression and anxiety, constipation, skin problems, and sleep disruptions; and

WHEREAS, Medications mask some symptoms of Parkinson's disease for a limited amount of time each day, often with dose-limiting side effects; and

WHEREAS, Ultimately, the medications and treatments lose their effectiveness, generally after four to eight years, leaving the person unable to move, speak or swallow; and

WHEREAS, There is no cure, therapy or drug to slow or halt the progression of Parkinson's disease; and

WHEREAS, Increased education and research are needed to aid in early and accurate diagnosis, and to help find more effective treatments or a cure for Parkinson's disease; and

WHEREAS, The federal government, through the National Institute of Health, the Department of Defense Neurotoxin Exposure Treatment Parkinson's Research Program, the Veterans Affairs Parkinson's Disease Research, Education and Clinical Center, and other agencies, supports vital work to better understand Parkinson's disease and to find new treatments; and

WHEREAS, In Kansas, many people associated with the Kansas House of Representatives are dealing with, or have encountered Parkinson's disease, such as past members: The Honorable J. Basil Dannebohm and the Honorable Ramon Gonzales; current members: Representative Pete DeGraaf and Representative Brenda Dietrich's husband, Gerald, who are both currently fighting the disease; also Speaker of the House Executive Assistant, Sharon Chandler, whose husband recently passed away from complications associated with Parkinson's disease; and many others who have relatives affected by Parkinson's disease; and

WHEREAS, In the fight against Parkinson's, Kansans can be proud. The University of Kansas Medical Center's Parkinson's Disease Center, under the direction of Dr. Rajesh Pahwa, M.D., and his outstanding staff, is designated as a National Parkinson's Foundation Center of Excellence. Kansas also has many excellent support groups and organizations, such as the National Parkinson's Foundation – Heartland in Leawood; the Parkinson's Program at Meadowlark Hills in Manhattan, under the direction of Michelle Haub; and many other advocates who are working to promote Parkinson's disease awareness, education and patient support: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we designate the month of April as Parkinson's Disease Awareness Month. We will continue to support research to find better treatments and, eventually, a cure for Parkinson's disease; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative DeGraaf.

There being no objection, the following remarks of Rep. DeGraaf are spread upon the Journal:

It is a personal honor to be co-sponsoring this resolution. As a person with Parkinson's, this effort to educate and honor a few of our heroes is very important to me. While I can't control the fact that I have this disease, I can control how I respond it. My faith in a loving God, a supportive wife, family and friends has been essential in my journey with Parkinson's.

At your desk is a handout outlining the many of the issues that people with Parkinson's may deal with. I emphasize may because one of the first things you learn is that everyone with Parkinson's has different symptoms at varying levels of severity. There is no test you can take to determine if you have Parkinson's.

Thirty percent of us do not have tremors, but most of us have difficulty with balance, our posture is stooped, and we experience a slow shuffle walk, with loss of arm swing. While some of us experience early onset, generally we are in our 60's when diagnosed and most of us have been dealing with symptoms for years, before we finally have a "name" for all things that have been bothering us. As we look back one of the first indicators many of us have is a diminished sense of smell. That was thirteen years ago for me.

Parkinson's affects the way our brain and muscles work (or in this case – don't work together). Our handwriting gets smaller and smaller, our fingers hit the wrong keys, the muscles in our eyes don't always want to focus, we misjudge our steps, and have trouble standing or walking; we even lose the ability to blink and swallow.

Most of us know that President George Bush (senior) has Parkinson's as does Billy Graham. We also know the name Michael Fox. Closer to home, but not with us today are past Representatives Basil Dannebohm and Ramon Gonzalez, both of whom currently struggle with the disease.

A few of my heroes are here today. For those of us with Parkinson's, our caregivers are our heroes. As most of you know, Karen is mine. Most of you know Sharon Chandler. She works as the Executive Assistant for the Speaker. What you may not know is that Sharon is one of the hero caregivers. Her husband recently passed away from complications associated with Parkinson. Sharon was a faithful caregiver and we want to honor her today.

Also with us is Representative Brenda Dietrich whose husband Gerald has Parkinson's. Doug Henkle serves as a caregiver to his wife Nan. We have become great friends.

Michelle Haub, is a dynamo. Neither she or nor her husband have Parkinson's, but for the last 10 years she has served the Parkinson's community at Meadowlark in Manhattan, where she leads an active program for people affected by Parkinson's with exercise and voice classes, "Rock Steady Boxing", education meetings, social activities, and community outreach and fundraising. Her program should be replicated across the country! One of the couples that are part of her program are Don and Bea Rasmussen. Don has benefitted greatly from her service.

On behalf of all of us with Parkinson's, we standing here appreciate your support. Colleagues, this is the 5th year in a row that this chamber has dedicated April as Parkinson's Awareness Month.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2047, AN ACT concerning the office of inspector general; amending K.S.A. 2016 Supp. 75-7427 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The bill passed, as amended.

HB 2280, AN ACT concerning administrative rules and regulations; joint committee on administrative rules and regulations; state rules and regulations board; membership; amending K.S.A. 2016 Supp. 77-423 and 77-436 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Jacobs.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The bill passed.

HB 2306, AN ACT concerning the Kansas sexually violent predator act; relating to examinations; transitional release; conditional release; amending K.S.A. 2016 Supp. 59-29a08, 59-29a10 and 59-29a18 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Burroughs.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The bill passed, as amended.

HB 2386, AN ACT concerning port authorities; relating to the sale of property; amending K.S.A. 2016 Supp. 12-3412 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Claeys, Corbet, Dove, Jacobs, Seiwert, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The bill passed.

H Sub for SB 21, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; employment after retirement; amending K.S.A. 2016 Supp. 74-4914 and 74-4937 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-4914f, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 9; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, DeGraaf, Garber, Huebert, Jacobs, Osterman, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The substitute bill passed.

SB 100, AN ACT concerning the nursing service scholarship program; scholarships for mental health nurses; amending K.S.A. 74-3292, 74-3293, 74-3294 and 74-3297 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Jacobs, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.
The bill passed.

SB 112, AN ACT concerning crimes, punishment and criminal procedure; relating to evidence; videotaping of certain felony, custodial interrogations; domestic battery; creating the crime of aggravated domestic battery; controlled substances; unlawful possession of drug paraphernalia; burglary; expungement; arrest records; amending K.S.A. 2016 Supp. 21-5414, 21-5709, 21-5807 and 22-2410 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Alford, K. Williams.

The bill passed, as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Sloan, the House nonconcurred in Senate amendments to **HB 2079** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Sloan, Rahjes and Victors as conferees on the part of the House.

On motion of Rep. Sloan, the House nonconcurred in Senate amendments to **HB 2080** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Sloan, Rahjes and Victors as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2096** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as conferees on the part of the House.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hawkins in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hawkins, Committee of the Whole report, as follows, was adopted:

Recommended that **Sub SB 74** be passed.

Committee report to **SB 50** be adopted; also, on motion of Rep. Wheeler, **SB 50** be amended, as amended by House Committee, on page 1, in line 29, by striking all before "acts" and inserting "commits"; in line 30, after "section" by inserting "or aids or abets a person to commit acts or omissions that violate this section"; and the bill be passed as amended.

Committee report to **SB 89** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 40** be adopted; and **H Sub for SB 40** be passed.

Committee report to **SB 46** be adopted; also, on motion of Rep. Jennings, **SB 46** be amended, as amended by House Committee, on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2016 Supp. 82a-701 is hereby amended to read as follows: 82a-701. When used in this act, unless the context indicates otherwise, the following words shall have the following meanings:

(a) "Person" shall mean and include a natural person, a partnership, an organization, a corporation, a municipality and any agency of the state or federal government.

(b) "Chief engineer" means the chief engineer of the division of water resources of the Kansas department of agriculture.

(c) "Domestic uses" means the use of water by any person or by a family unit or household for household purposes, or for the watering of livestock, poultry, farm and domestic animals used in operating a farm, and for the irrigation of lands not exceeding a total of two acres in area for the growing of gardens, orchards and lawns.

(d) "Vested right" means the right of a person under a common law or statutory claim to continue the use of water having actually been applied to any beneficial use, including domestic use, on or before June 28, 1945, to the extent of the maximum quantity and rate of diversion for the beneficial use made thereof, and shall include the right to take and use water for beneficial purposes where a person is engaged in the construction of works for the actual application of water to a beneficial use on June 28, 1945, provided such works shall be completed and water is actually applied for such use within a reasonable time thereafter by such person, such person's heirs, successors or assigns. Such a right does not include, however, those common law claims under which a person has not applied water to any beneficial use within the periods of time set out in this subsection.

(e) "Appropriator" means and includes a person who has an appropriation right that has been perfected in conformity with article 7 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto.

(f) "Appropriation right" is a right, acquired under the provisions of article 7 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto, to divert from a definite water supply a specific quantity of water at a specific rate of diversion, provided such water is available in excess of the requirements of all vested rights that relate to such supply and all appropriation rights of earlier date that relate to such supply, and to apply such water to a specific beneficial use or uses in preference to all appropriations right of later date.

(g) "Water right" means any vested right or appropriation right under which a person may lawfully divert and use water. It is a real property right appurtenant to and severable from the land on or in connection with which the water is used and such water right passes as an appurtenance with a conveyance of the land by deed, lease, mortgage, will, or other disposal, or by inheritance.

(h) "Impairment" means the unreasonable raising or lowering of the static water level or the unreasonable increase or decrease of the streamflow or the unreasonable deterioration of the water quality at the water user's point of diversion beyond a reasonable economic limit."

On page 7, in line 4, after "Supp." by inserting "82a-701,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after "Supp." by inserting "82a-701,"; and **SB 46** be passed as amended.

Committee report recommending a substitute bill to **SB 101** be adopted; on motion of Rep. Carmichael, **H Sub for SB 101** be amended on page 7, in line 28, after "when" by inserting ": (1)"; in line 30, after "investigation" by inserting "; or (2) the physician, licensed physician assistant or registered professional nurse believes that it is in the best interests of the minor not to do so"; and **H Sub for SB 101** be passed as amended.

SB 78 be passed over and retain a place on the calendar.

Committee report to **SB 124** be adopted; and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **SB 96**, as amended by Senate Committee, be amended on page 5, in line 9, by striking "79-3398" and inserting "79-3399"; also in line 9, by striking the first "and" and inserting a comma; also in line 9, after "2" by inserting "and section 24";

On page 28, following line 41, by inserting:

"Sec. 25. K.S.A. 2016 Supp. 79-3399 is hereby amended to read as follows: 79-3399. (a) On and after ~~January~~ July 1, 2017, a tax is hereby imposed upon the privilege of selling or dealing in electronic cigarettes in this state by any person engaged in business as a distributor thereof, at the rate of ~~\$.20~~ \$.05 per milliliter of consumable material for electronic cigarettes and a proportionate tax at the like rate on all fractional parts thereof. For electronic cigarettes in the possession of retail dealers for which tax has not been paid, tax shall be imposed under this subsection at the earliest time the retail dealer: (1) Brings or causes to be brought into this state from without the state electronic cigarettes for sale; (2) makes, manufactures or fabricates electronic cigarettes in this state for sale in this state; or (3) sells electronic cigarettes to consumers within this state.

(b) "Consumable material" means any liquid solution or other material that is depleted as an electronic cigarette is used.

(c) The secretary of revenue shall adopt rules and regulations to implement the provisions of this section.";

On page 29, in line 2, by striking "and" and inserting a comma; also in line 2, after "79-3393" by inserting "and 79-3399";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "the Kansas"; also in line 1, after "products" by inserting "act"; also in line 1, by striking "the"; in line 2, by striking all before "definitions"; in line 5, by striking "and" and inserting a comma; also in line 5, after "deposits" by inserting ", taxation of electronic cigarettes"; in line 9, by striking the first "and" and inserting a comma; also in line 9, after "79-3393" by inserting "and 79-3399"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2415, AN ACT concerning scrap metal; relating to regulation of scrap metal dealers; making certain provisions unenforceable until January 1, 2019; amending K.S.A. 2016 Supp. 50-6,109a, 50-6,109b, 50-6,109c, 50-6,109d, 50-6,109e, 50-6,109f, 50-6,110, 50-6,112a and 50-6,112b and repealing the existing sections, by Committee on Taxation.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 23** from Committee on Insurance and referral to Committee on Judiciary.

MESSAGES FROM THE SENATE

Announcing passage of **SB 217**.

Announcing passage of **HB 2025**, as amended; **HB 2026**, as amended by **Senate Substitute for HB 2026**; **HB 2027**, as amended by **Senate Substitute for HB 2027**; **HB 2030**, as amended; **HB 2055**, as amended by **Senate Substitute for HB 2055**; **HB 2212**, as amended; **HB 2213**, as amended.

Announcing passage of **HB 2044**, **HB 2217**, **HB 2219**, **HB 2312**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 217

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Barker to replace Rep. Williams on Committee on Taxation on March 28, 2017.

REPORT ON ENGROSSED BILLS

HB 2047, HB 2306 reported correctly engrossed March 27, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Wednesday, March 29, 2017.

Journal of the House

FIFTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, March 29, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by guest chaplain, Rev. Tobias Schlingensiepen, Senior Minister, First Congregational Church, Topeka, and guest of Rep. Kuether:

All-merciful Creator of us all,
I lift up before you this morning a young child, a girl,
whose first name begins with the letter K.
You know her, O God - and You would have us know
her, too.
How much she has had to endure at her young age! Her
father succumbed to suicide, her mother to drugs and
alcohol. Several adoptions have fallen through for her and
she is struggling, waiting for a family, a home, an
opportunity to live in the embrace of people who love her
and can show her a hopeful future of well-being and
-living.

You have created us, O God, with a conscience, where
You meet each and every one of us; where You remind us -
whether we care for that reminder or not - that each of us is
created for connection with each other - and that each of us
is responsible for making that connection. You call us to
make and care for our life together.

Beyond all the other wills luring us to look past K. and
the many thousands like her across our land - beyond them
all is You, standing before us, unwilling to let us pass until
we have seen them, really seen them - until we follow in
Your steps, find them. and our arms become Your arms,
embracing every one of them.

Let us not keep you waiting. O God. Encourage us to do
Your Will, for K,'s sake, as well as our own. Amen.

The Pledge of Allegiance was led by Rep. Henderson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Health and Human Services: **SB 217**.

Taxation: **HB 2415**.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2079** and has appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2080** and has appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **House Substitute for SB 21**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 112**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 21**.

Speaker pro tem Schwab thereupon appointed Reps. Kelly, Powell and Finney as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 112**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Ohaebosim, **HR 6026**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6026**—

by Reps. Ohaebosim and Finney

HR 6026—A RESOLUTION recognizing Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs.

A RESOLUTION recognizing Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs.

WHEREAS, According to the Annie E. Casey Foundation, children who are proficient in reading by the end of third grade are more likely to graduate from high school and be economically successful in adulthood; and

WHEREAS, 58% of Caucasian, 80% of Hispanic and 85% of African-American fourth graders in Kansas scored below the "proficient" reading level in a 2015 study conducted by the National Assessment for Educational Progress (NAEP); and

WHEREAS, Many underserved populations in Kansas are lacking the quality literacy skills essential for future success in school and life; and

WHEREAS, The 2015 NAEP study also shows that the gap in proficiency between low-income and high-income Kansas students grew from 25% to 34% from the years 2009 to 2015; and

WHEREAS, Storytime Village, Inc., under the leadership of Director Prisca Barnes, has been working since 2009 to help Kansas children, beginning at birth through age eight, thrive in partnerships that provide early childhood development, family engagement involving reading, and access to books; and

WHEREAS, Storytime Village, Inc. is currently the only nonprofit organization based in Kansas that focuses exclusively on children's literacy; and

WHEREAS, With the support of parents and the help of many dedicated volunteers, Storytime Village, Inc. inspires children, regardless of their socio-economic background, race or gender, to read by providing them free books and literacy resources; and

WHEREAS, March 29, 2017, is marked as Literacy Day at the Capitol, which will focus on addressing the literacy gap in Kansas by mobilizing high school students to raise their voices through meetings with legislators, panel discussions, and an advocacy workshop, with the theme: "Why Reading Matters": Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Prisca Barnes and Representative Ohaebosim.

There being no objection, the following remarks of Rep. Ohaebosim are spread upon the Journal:

According to the Annie E. Casey Foundation, children who are proficient in reading by the end of third grade are more likely to graduate from high school and be economically successful in adulthood.

However, many underserved populations are lacking the quality literacy skills essential for future success in school and in life. While the nation's reading proficiency rates have improved for most demographic groups over the last decade, large disparities still exist by race and income status.

Kansas is among the states where the literacy achievement gap widened. A national assessment for educational progress study (NAEP) shows that the gap in proficiency between low income and high income Kansas students grew from 24 percent to 32 percent over the last ten years.

This year marks Storytime Village's third Literacy Day at the Capitol. The event is sponsored by the Kansas African American Affairs Commission and Butler County Community College.

Joining Storytime Village for this impactful day are high school students from Wichita, KS, including Literacy Champions from the Independent School and The NAACP Youth Council students from Wichita East High and Heights High School along with students from Junction City High School.

Students from Highland Park High School in Topeka, KS will join Literacy Day and their school's choir will be featured during the Literacy Champions Luncheon at noon,

sponsored by Olive Garden.

Since its beginning in 2009, Storytime Village has worked to help the youngest in our communities thrive through partnerships that provide early childhood development, family engagement around reading and access to books.

The mission of Storytime Village, Inc., with the support of parents and the community, is to inspire a lifelong love of reading for underserved Kansas children from birth to age 8.

The theme for Literacy Day at the Capitol is “Why Reading Matters” and will address the literacy achievement gap in the state of Kansas by mobilizing high school students to raise their voices and bring awareness to the critical issue. The day will feature panel discussions, workshops and the opportunity to network and discuss these important issues with state leaders. A Kansas youth will be named the “Outstanding Youth Literacy Advocate” during our Literacy Champions Luncheon.

Rep. Ohaebosim introduced guests representing Storytime Village to members of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 40, AN ACT concerning human trafficking and related crimes; creating the crimes of unlawful use of communication facility, promoting travel for child exploitation, internet trading in child pornography and aggravated internet trading in child pornography; relating to training for commercial driver's license applicants; sexual exploitation of a child; buying sexual relations; commercial sexual exploitation of a child; offender registration; expungement of juvenile adjudications; victim compensation; amending K.S.A. 2016 Supp. 12-4120, 21-5426, 21-5510, 21-6421, 21-6422, 22-4902, 22-4906, 38-2312, 74-7305 and 75-759 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

SB 46, AN ACT concerning water; relating to water conservation areas; relating to the diversion of water; chief engineer; remedies for the impairment of a valid water right or permit to divert and use water; amending K.S.A. 82a-716 and 82a-717a and K.S.A. 2016 Supp. 82a-701, 82a-745 and 82a-1906 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 20; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Arnberger, Aurand, Awerkamp, Barker, B. Carpenter, Corbet, DeGraaf, Garber, Highland, Hodge, Jacobs, K. Jones, Landwehr, R. Powell, Seiwert, Sutton, Ward, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

SB 50, AN ACT concerning attorneys; relating to the Kansas consumer protection act; unauthorized practice of law; membership of the advisory committee on uniform state laws and the joint committee on special claims against the state; amending K.S.A. 46-407a and K.S.A. 2016 Supp. 46-912 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Ward.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

Sub SB 74, AN ACT concerning persons needing assistance with cognition; relating to motor vehicles, placards, identification cards; state-issued identification cards and driver's licenses; amending K.S.A. 2016 Supp. 8-243 and 8-1324 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 89, AN ACT concerning motor vehicles; relating to fees, collection of; repealing the repossessed certificates of title fee fund; amending K.S.A. 2016 Supp. 8-135, 8-145 and 8-145d and repealing the existing sections; also repealing K.S.A. 8-145e, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 15; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Corbet, DeGraaf, Dove, Ellis, Garber, Helgerson, Huebert, Jacobs, K. Jones, Landwehr, Mason, Osterman, R. Powell, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

H Sub SB 101, AN ACT concerning crime victims; relating to protection orders; protection from abuse act; protection from stalking act; sexual assault evidence collection examinations and parental notification; the crime victims compensation board and claims for compensation; amending K.S.A. 60-3102, 60-31a01, 60-31a03, 60-31a07, 60-31a08 and 60-31a09 and K.S.A. 2016 Supp. 21-5924, 60-31a02, 60-31a04, 60-31a05, 60-31a06, 65-448 and 74-7305 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 9; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Garber, Hoffman, Jacobs, K. Jones, Osterman, Sutton, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

SB 124, AN ACT concerning the care of children; relating to the Kansas family law code; child custody, residency and parenting time; evidence of domestic abuse; relating to the revised Kansas code for the care of children; rules of evidence; admissibility of certain test results; amending K.S.A. 2016 Supp. 23-3201, 23-3203 and 38-2249 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 174, HB 2391, Sub SB 85** be passed.

HR 6016 be adopted.

Roll call was demanded on motion of Rep. Curtis to amend **SB 55**, as amended by Senate Committee, on page 1, in line 5, before "Section" by inserting "New";

On page 2, following line 3, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 12-16,131 is hereby amended to read as follows: 12-16,131. (a) Except as provided in K.S.A. 16-1903(i), and amendments thereto, no city, county or local government unit shall enact or administer any ordinance, resolution or law that requires, nor shall any city, county or local government discriminate against, favor, prefer or base any ordinance, law, policy, economic development program, agreement, grant or incentive on, an employer providing or not providing:

(1) Any leave from work, either with or without pay, unless such leave is required by state or federal law;

(2) compensation for any leave from work, unless payment of compensation for such leave is required by state or federal law;

(3) compensation or wages at any rate higher than the minimum wage, unless the payment of higher compensation or wages is required by state or federal law; or

(4) any employee benefit other than those required by state or federal law.

(b) Subsection (a) shall only apply to wages, compensation or benefits, or any combination thereof, paid or provided by a construction contractor or subcontractor performing construction or infrastructure work on a real estate construction or infrastructure project.

Sec. 3. K.S.A. 16-1903 is hereby amended to read as follows: 16-1903. (a) Subject to the provisions of subsections (b), (c), (d), (e), (f), (g), (h) and K.S.A. 16-1904 and 16-1905, and amendments thereto, all owners, contractors and subcontractors, who enter into a contract for public construction after the effective date of this act, shall make all payments pursuant to the terms of the contract.

(b) The following provisions in a contract for public construction shall be against

public policy and shall be void and unenforceable:

(1) A provision that purports to waive, release or extinguish the right to resolve disputes through litigation in court or substantive or procedural rights in connection with such litigation except that a contract may require nonbinding alternative dispute resolution as a prerequisite to litigation;

(2) a provision that purports to waive, release or extinguish rights to file a claim against a payment or performance bond, except that a contract may require a contractor or subcontractor to provide a waiver or release of such rights as a condition for payment, but only to the extent of the amount of payment received; and

(3) a provision that purports to waive, release or extinguish rights of subrogation for losses or claims covered or paid by liability or workers compensation insurance except that a contract may require waiver of subrogation for losses or claims paid by a consolidated or wrap-up insurance program, owners and contractors protective liability insurance, or project management protective liability insurance or a builder's risk policy.

(c) All contracts for public construction shall provide that payment of amounts due a contractor from an owner, except retainage, shall be made within 30 days after the owner receives a timely, properly completed, undisputed request for payment according to terms of the contract, unless extenuating circumstances exist which would preclude approval of payment within 30 days. If such extenuating circumstances exist, then payment shall be made within 45 days after the owner receives such payment request.

(d) The architect or engineer of record or agent of the owner shall review, approve and forward undisputed requests for payment to the owner within seven business days of receipt from the contractor.

(e) If the owner fails to pay a contractor within the time period set forth in subsection (c), the owner shall pay interest computed at the rate of 18% per annum on the undisputed amount to the contractor beginning on the day following the end of the time period set forth in subsection (d).

(f) A contractor shall pay its subcontractors any amounts due within seven business days of receipt of payment from the owner, including payment of retainage, if retainage is released by the owner, if the subcontractor has provided a timely, properly completed and undisputed request for payment to the contractor.

(g) If the contractor fails to pay a subcontractor within seven business days, the contractor shall pay interest to the subcontractor beginning on the eighth business day after receipt of payment by the contractor, computed at the rate of 18% per annum on the undisputed amount.

(h) The provisions of subsection (g) shall also apply to all payments from subcontractors to their subcontractors.

(i) The following provisions required in a contract for public construction by the unified government of Wyandotte county, or enacted or administered by ordinance, resolution or law by the unified government of Wyandotte county and applicable only to contracts for construction or infrastructure work, shall not be against public policy and shall be valid and enforceable. Any requirement or preference for a construction contractor or subcontractor providing to its employees:

(1) Any leave from work, either with or without pay;

(2) compensation for any leave from work;

(3) compensation or wages at any rate higher than the minimum wage;

(4) any employee benefit other than those required by state or federal law; or

(5) wages, including fringe benefits, at a rate not less than:

(A) As determined by the unified government of Wyandotte county, the wage paid to corresponding classes of laborers and mechanics employed on similar projects in the county where the project is to be performed. Such minimum wage shall be the wage paid to the majority of the laborers or mechanics, unless the same wages are not paid to a majority, in which case the minimum wage shall be the average wages paid, weighted by the total employed in the classification; or

(B) the minimum wage determined under federal law which would be required to be paid on federally funded projects at the location of the public works project.

Sec. 4. K.S.A. 16-1903 and K.S.A. 2016 Supp. 12-16,131 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "act" by inserting "; certain wage, compensation or benefit requirements; amending K.S.A. 16-1903 and K.S.A. 2016 Supp. 12-16,131 and repealing the existing sections"

On roll call, the vote was: Yeas 48; Nays 77; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

The motion of Rep. Curtis to amend did not prevail, and **SB 55** be passed.

Committee report to **HB 2362** be adopted; and the bill be passed as amended.

Committee report to **SB 149** be adopted; and the bill be passed as amended.

On motion of Rep. Wilson to amend **HB 2319**, the motion did not prevail.

Also, on motion of Rep. Kuether to amend, Rep. Humphries requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

Roll call was demanded on the motion of Rep. Kuether to amend **HB 2319**, on page 6, following line 16, by inserting:

"New Sec. 3. At least 24 hours prior to the performance of any medical procedure that is to be performed by a physician licensed by the state board of healing arts and for

which the informed consent of the patient is required, the physician shall provide the following information in writing in printed format in black ink with 12-point times new roman font:

- (a) The name of such physician;
 - (b) the year in which such physician received a medical doctor's degree;
 - (c) the date on which such physician's employment commenced at the facility where the medical procedure is to be performed;
 - (d) whether any disciplinary action has been taken against such physician by the state board of healing arts by marking either a box indicating "yes" or a box indicating "no" and if the box indicating "yes" is marked, then provide the website addresses to the board documentation for each disciplinary action;
 - (e) whether such physician has malpractice insurance by marking either a box indicating "yes" or a box indicating "no";
 - (f) whether such physician has clinical privileges at any hospital located within 30 miles of the facility where the medical procedure is to be performed by marking either a box indicating "yes" or a box indicating "no" and if the box indicating "yes" is marked, then provide the name of each such hospital and the date such privileges were issued;
 - (g) the name of any hospital where such physician has lost clinical privileges; and
 - (h) whether such physician is a resident of this state by marking either a box indicating "yes" or a box indicating "no."";
- And by renumbering sections accordingly

On roll call, the vote was: Yeas 41; Nays 84; Present but not voting: 0; Absent or not voting: 0.

Yeas: Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Finney, Frownfelter, Gallagher, Gartner, Henderson, Highberger, Hodge, Holscher, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Good, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

The motion of Rep. Kuether to amend **HB 2319** did not prevail.

Also, roll call was demanded on the motion to recommend **HB 2319** favorably for passage.

On roll call, the vote was: Yeas 85; Nays 38; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Blex, Brim, Campbell,

B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, K. Jones, Judd-Jenkins, Karleskint, Kelly, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Nays: Alcalá, Ballard, Becker, Bishop, Burroughs, Carlin, Carmichael, Clayton, Curtis, Deere, Finney, Gallagher, Gartner, Henderson, Highberger, Holscher, Kessinger, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Helgerson, Johnson.

The motion to recommend **HB 2319** favorably for passage prevailed, and the bill be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2398** be passed.

Committee on **Federal and State Affairs** recommends **SB 70**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 70," as follows:

"House Substitute for SENATE BILL NO. 70

By Committee on Federal and State Affairs

"AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 40-4801 and K.S.A. 2016 Supp. 40-4802, 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 44-1615.";

And the substitute bill be passed.

(**H Sub for SB 70** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **SB 83** be amended on page 2, in line 8, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2235** be amended on page 5, following line 4, by inserting:

"Sec. 7. The provisions of sections 1 through 7, and amendments thereto, shall be part of and supplemental to the Kansas retailers' sales tax act.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2400** be amended on page 1, following line 31, by inserting:

"(e) Notwithstanding any other provision of law, the department of revenue may bring a declaratory judgment action in any district court against any person the

department believes meets the criteria of subsection (a) to establish that the obligation to remit sales tax is applicable and valid under state and federal law. The district court shall act on this declaratory judgment action as expeditiously as possible and this action shall proceed with priority over any other action presenting the same question in any other venue.

(f) (1) Upon the filing of an action for declaratory judgment under subsection (e), the court shall grant an injunction during the pendency of the action prohibiting the department or any other state entity from enforcing the obligation in subsection (a) against any seller who is a party to the action who does not affirmatively consent or otherwise remit sales tax on a voluntary basis. No injunction shall be granted under this subsection if there is a previous judgment from a court of record in this state in a previous judgment against the seller who is a party to the action establishing the validity of the obligation under subsection (a).

(2) If a court has entered a judgment against a seller or otherwise lifted or dissolved an injunction under this section, the department shall assess and apply the obligation under subsection (a) from the date the judgment is entered or the injunction is lifted with respect to that matter.

(g) Notwithstanding any other provision of law, attorney expenses and related expenses shall not be awarded in any action brought pursuant to this section or any appeal from any action brought pursuant to this section.

(h) Nothing in this section affects the obligation of any purchaser from this state to remit use tax as to any applicable transaction in which the seller does not collect and remit or remit an offsetting sales tax."; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5013**—
By Committee on Taxation

HCR 5013—A CONCURRENT RESOLUTION urging Congress to take action to regulate interstate commerce and allow states to collect sales tax directly from remote retailers.

WHEREAS, Small businesses have been hurt in recent years by online and catalog purchases by customers who believe they get a discount by not paying sales tax; and

WHEREAS, The brick-and-mortar retailers collect the sales tax at the time of purchase in a store, but the responsibility for paying the tax from an online purchase shifts to the internet customer who should pay the sales tax when filing annual state tax returns; and

WHEREAS, The present system is ineffective and has serious enforcement problems. State tax administrators have no way of assessing or collecting use taxes on many internet purchases. As a result, the integrity of the states' tax bases are being undermined, and severe damage is being done to the perceived equity of the tax system; and

WHEREAS, The Supreme Court's decision in *Quill Corp. v. North Dakota*, 504 U.S.

298 (1992), left state and local governments unable to adequately enforce their existing sales tax laws on sales by out-of-state catalog and online sellers; and

WHEREAS, The inability to collect sales and use taxes due on remote sales threatens the future viability of the sales tax as a stable revenue source for state and local governments; and

WHEREAS, Keeping track of local tax rates is no longer an insurmountable technical, administrative, or financial burden; and

WHEREAS, In the Quill decision, the Supreme Court did state that Congress had the constitutional authority to pass legislation overruling its decision; and

WHEREAS, If Congress acts to regulate interstate commerce, state and local governments could collect taxes owed on internet and mail order sales: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the Kansas Legislature does hereby urge the United States Congress to take action to regulate interstate commerce by allowing individual states the authority to collect sales tax directly from remote retailers; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to each member of the Kansas congressional delegation and to the President of the United States.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 75** from Committee on Education and referral to Committee on Appropriations.

Also, the withdrawal of **SB 13**, **SB 92**, **SB 136**, **SB 181**, **SB 62**, **SB 93**, **SB 114**, **SB 120** from Committee on Judiciary and referral to Committee on Appropriations.

Also, the withdrawal of **SB 48** from Committee on Appropriations and referral to Committee on K-12 Education Budget.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2006**, as amended; **HB 2043**, as amended; **HB 2067**, as amended; **HB 2094**, as amended; **HB 2102**, as amended; **HB 2128**, as amended; **HB 2137**, as amended; **HB 2140**, as amended; **HB 2304**, as amended by **Senate Substitute for HB 2304**.

Announcing passage of **HB 2110**, **HB 2118**, **HB 2136**, **HB 2191**, **HB 2329**.

INTRODUCTION OF ORIGINAL MOTIONS

Pursuant to House Rule 2306, Rep. Hineman moved **H Sub for SB 52** be withdrawn from the Calendar under the heading General Orders and be referred to Committee on Appropriations. The motion prevailed.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Aurand, the House nonconcurred in Senate amendments to **HB 2212** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Aurand, Dierks and Winn as conferees on the part of the House.

On motion of Rep. Aurand, the House nonconcurred in Senate amendments to **HB 2213** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Aurand, Dierks and Winn as conferees on the part of the House.

On motion of Rep. Hawkins, the House nonconcurred in Senate amendments to **S Sub for HB 2026** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Hawkins, Concannon and Wilson as conferees on the part of the House.

REPORT ON ENROLLED BILLS

HB 2044 reported correctly enrolled, properly signed and presented to the Governor on March 29, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, March 30, 2017.

Journal of the House

FIFTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, March 30, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 124 members present.

Rep. Gallagher was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
 thank You for another day You have given us.
 Thank You for this rain that we have needed.
 I ask for Your blessing upon this body today.
 Although You are never far,
 the busyness of their responsibilities
 may make them sense You are distant.
 Frustrations, fears, worries, and pressures
 can sometime block Your guidance
 and make them feel overwhelmed.
 I ask that You replace these with humility, perseverance,
 integrity, diligence and an openness to new possibilities.
 In Christ's Name I pray,
 Amen.

The Pledge of Allegiance was led by Rep. Sutton.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Becker are spread upon the Journal:

As an alumnus of Hutchinson Community College, I want to share my pride with my legislative family.

Last Saturday evening while watching the Kansas Jayhawks, I was listening to my HCC Blue Dragons play Eastern Florida State College in the Hutchinson Sports Arena. While the outcome of the Jayhawks' game was disappointing, the disappointment was tempered when my Blue Dragons drained that East Florida swamp by 26 points!! In doing so they ended their season with a 35-2 record and the NJCAA 2017 National Championship.

It is spring break at HCC this week and many of the student athletes are home. Those coming to Topeka today to allow me this personal privilege are: James Conley, Trent Webster and Tiyler Cotton, team players; Cody Baker, team manager; Steve Eck, Head Coach; Jay Cyriac and Cortland Carney, Assistant Coaches; Carter File, President; Josh Gooch, Athletic Director, Denny Stoecklein, Director of Marketing; Steve Kappenman, Assistant Athletic Director; Steve Carpenter, Transportation and Sports Information and Scott Brooks, Administrative Assistant to the athletic director.

I invite all of you to help me congratulate the team on this accomplishment.

Rep. Becker presented the team with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Humphries are spread upon the Journal:

Today we have the privilege to honor two couples with the Kansas Humanitarian Award for 2016. Lieutenant Governor, Dr. Jeff Colyer, started The Kansas Humanitarian Commission in 2015 with the goal to empower Kansas citizens and businesses to serve their communities, meet local and global humanitarian needs, and promote a spirit of service through dialogue, acts and commerce.

The Commission, which is made up of community leaders from throughout the state, went on a search across the state to carefully choose the inaugural recipients of the Kansas Humanitarian Award, and they found three very worthy candidates.

You may recall that two weeks ago we honored Dr. Luther Frye from Garden City. Today we have the great honor to meet and congratulate the other two recipients, who are Kansans that selflessly aim to improve the lives of others.

They are: Dr. Shaker and Mrs. Kathi Dakhil, from Wichita. Dr. Dakhil, a renown oncologist, devoted his career to treating cancer patients and launched the Wichita Cancer Foundation for benefit of patients struggling to afford health care. The Dakhils have generously given their time and resources to countless organizations for education, to help alleviate poverty, for orphans, their church, and many more. A source said Dr. Dakhil lives by the Bible verse in Luke 12:48 which says “from everyone who has been given much, much will be demanded; and from the one who has been entrusted with much, much more will be asked.”

Mr. Jack and Mrs. Marilyn DeBoer from Wichita. The DeBoers, world renown entrepreneurs, took a trip around the world in 1988 to assess the world situation. They then dedicated their lives to relieving the effects of poverty in Myanmar through the DeBoer Foundation and through partnership with World Vision. In addition, the DeBoers have tirelessly served on countless boards and civic groups, especially focusing on advancing principles of democracy and business entrepreneurship with the goal of alleviating social, health, financial, and physical needs.

The Kansas Humanitarian Commission and our Lt. Gov. hopes this annual award will inspire others to service and follow in the footsteps of these great Kansans who give back so much to their communities. Join me in honoring these very worthy Kansas Humanitarians!

Rep. Humphries presented framed House certificates to the Dakhils and the DeBoers.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2416, AN ACT concerning income taxation; relating to credits; certain purchases of goods and services from qualified vendors that provide employment to individuals who are blind or severely disabled; qualifications, procedures and limitations, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was referred to committee as indicated:
Taxation: **HCR 5013**.

MESSAGES FROM THE GOVERNOR

HB 2109 has been signed into law and approved March 28, 2017.

HB 2192 has been signed into law and approved March 29, 2017.

MESSAGES FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2044**, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs, was received and read.

MESSAGE FROM THE GOVERNOR

REGARDING VETO OF HOUSE BILL 2044

I have long maintained three criteria for evaluating Medicaid expansion under Obamacare. Any attempt to expand this entitlement program should include a plan to eliminate the inherited waiting list for services to our disabled community, include work requirements to help Kansans escape poverty, and have a neutral impact on the state budget. This bill does not meet those requirements. Additionally, I am disappointed this bill will lead to an increase in funding for Planned Parenthood.

The most effective welfare program is one that helps people find a good paying job, escape poverty, and gain economic security. This bill's work component is nothing more than a work referral program, which will not lead to real employment gains for low income families. A true work requirement, as currently exists in the TANF and SNAP programs, would encourage and assist low-income able-bodied Kansans in receiving the educational and employment opportunities they deserve. We cannot help our citizens build better lives without also incentivizing them to find a permanent path out of poverty.

Prior administrations created and expanded waitlists for Kansans with disabilities. Over the course of my administration, I have worked to reduce the disability waitlist for these services. Yet, instead of continuing this critical work, HB 2044 prioritizes service for able-bodied adults without dependents instead of members of the disability community who need services now.

The cost of expanding Medicaid under ObamaCare is irresponsible and unsustainable. A recent third party study from Aon Hewitt estimates that expansion will cost Kansas taxpayers over \$1.2 billion from the state general fund over the coming years. In fact, states that have expanded have seen cost overruns of 110 percent or more than double the projection of enrollees. This bill is not budget neutral, instead placing a burden on the budget of unrestrainable costs.

Furthermore, this legislation ensures a significant increase in state and federal Medicaid dollars funneled towards abortion providers like Planned Parenthood. Kansas is a pro-life state, respecting the value and dignity of each unique human life. Our citizens do not want their tax dollars supporting organizations that are antithetical to human dignity. We cannot and will not support this legislation that continues to fund organizations that undermine a culture of life.

Finally, it is unwise to undertake such a drastic change to our Medicaid system in Kansas while our partners in Washington D.C. continue working to overhaul the Affordable Care Act. Congressional actions indicate there are many changes to Medicaid on the horizon. Despite lack of Congressional action last week, The White House and House Leadership have restarted negotiations on legislation to repeal the Affordable Care Act. These changes may impact many aspects of the Kansas Medicaid program, and attempting to overhaul our current system while these changes are still being worked out is potentially harmful to our state.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Bill 2044.

Dated: March 30, 2017

SAM BROWNBACK
Governor of Kansas

On motion of Rep. Concannon, the House proceeded to reconsider **HB 2044**, AN ACT concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs.

On motion of Rep. Ward to adjourn, the motion did not prevail. Also, on motion of Rep. Whipple to adjourn until Monday, April 3, 2017, at 11:00 a.m., the motion did not prevail. Also, on motion of Rep. Jennings to lay the question on the table, the motion prevailed.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2096** and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 46**, requests a conference and has appointed Senators Kerschen, Estes and Francisco as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub for SB 40**, requests a

conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 50**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 89**, requests a conference and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **H Sub SB 101**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 124**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 40**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 46**.

Speaker pro tem Schwab thereupon appointed Reps. Hoffman, Thompson and Carlin as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 50**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 89**.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub SB 101**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 124**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, Patton and Carmichael as conferees on the part of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2319, AN ACT concerning abortion; relating to the woman's-right-to-know act; relating to certain physician information to be disclosed; amending K.S.A. 2016 Supp. 65-6709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 37; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Nays: Alcalá, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Curtis, Finney, Gartner, Helgerson, Henderson, Highberger, Holscher, Kessinger, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: Women facing a crisis pregnancy should have as much information as possible as they make a life-changing decision. The U.S. Supreme Court has said that informed consent for elective abortion deserves special care and thoughtfulness. This bill is about transparency and disclosure. As legislators today we have the opportunity to help women get more easily accessible information that is reasonable, relevant, and honest. For the sake of all involved—the mother, the unborn child, and the father—We vote yes on **HB 2319**. SUSAN HUMPHRIES, RON HIGHLAND, DOUG BLEX, CHUCK WEBER, RANDY POWELL, KEVIN JONES, WILLIE DOVE, JOHN EPLEE, JIM KELLY, LESLIE OSTERMAN, JOHN WHITMER, BRENDA LANDWEHR, KEN RAHJES, TREVOR JACOBS, RON ELLIS, FRANCIS AWERKAMP, JOHN RESMAN, SEAN TARWATER, ADAM SMITH, LES MASON, KEITH ESAU

MR. SPEAKER: Thank you. A ruling in 2016 by the US Supreme Court stated “states cannot place burdens on women's healthcare providers that are medically unnecessary or do not meaningfully protect a woman's health and safety.” Also, any individual can access information on hospitals and doctors on the internet at any time. Today, I vote “No” on **HB 2319**. CINDY NEIGHBOR

MR. SPEAKER: The Legislature needs to give up its obsession with shaming women and doctors, and instead, work on preventing unintended pregnancies with birth control and sex education, so we won't be sitting here worrying about font sizes. I vote no on **HB 2319**. PONKA-WE VICTORS

MR. SPEAKER: Making sure a woman is informed of her doctor's practices and qualifications prior to a life-changing procedure allows for an additional degree of caution and an additional opportunity to reflect on this life-changing decision. This bill allows for additional transparency and consideration during what is often a very difficult time for a woman. Therefore, I vote aye on **HB 2319**. KRISTEY WILLIAMS, ERIN DAVIS

HB 2362, AN ACT concerning the department of revenue; relating to the division of alcoholic beverage control; fees; establishing the alcoholic beverage control modernization fee and the alcoholic beverage control modernization fund; sunset of the fee; amending K.S.A. 2016 Supp. 41-317 and 41-2606 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 28; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Corbet, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Gartner, Good, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thompson, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Aurand, B. Carpenter, Claeys, Cox, DeGraaf, Dove, Esau, Frownfelter, Garber, Hawkins, Helgerson, Henderson, Hibbard, Houser, Jacobs, Landwehr, Lusker, Mason, Osterman, Pittman, R. Powell, Seiwert, Sutton, Terrell, Thimesch, Trimmer, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed, as amended.

HB 2391, AN ACT concerning driving; relating to driving under the influence and other driving offenses; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions; amending K.S.A. 2016 Supp. 8-1015, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4516e, 21-6614g and 21-6614h, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Kuether.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

HR 6016, A RESOLUTION recognizing that pornography is a public health hazard that leads to a broad spectrum of individual and public health impacts and societal harms, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Gallagher.

The resolution was adopted.

EXPLANATION OF VOTE

MR. SPEAKER: I vote “No” on House Resolution 6016. My vote today should not be interpreted as an endorsement of “pornography.” Rather, my vote is one in support of the First Amendment. The price of freedom is high, but it is a price worth the cost. I therefore, vote “No” on **HR 6016**. – JOHN CARMICHAEL

SB 55, AN ACT concerning public construction contracts; relating to performance and payment bonds; Kansas fairness in public construction contract act, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

Sub SB 85, AN ACT concerning healthcare; relating to withholding cardiopulmonary resuscitation from unemancipated minors; information requirements; refusal of consent, exceptions; dispute resolution, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael, Highberger, Kuether.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: Simon Crosier's rights were violated, his parents were denied their parental rights. Someone else decided their son's life didn't have value. Care was withheld, a DNR was ordered, without their knowledge or consent. Ultimately, their wishes were ignored and Simon's death was expedited. By voting YES for SB 85 we hope to lend our voices to those most vulnerable children who cannot speak for themselves. Simon's Law gives us a chance to do just that, to ensure that life and death decisions are made by parents not strangers. Mr. Speaker, we vote YES on **SB 85**. — JOHN WHITMER, BLAKE CARPENTER, LEO DELPERDANG, RANDY POWELL, RON ELLIS, KENT THOMPSON, KYLE HOFFMAN, CHUCK WEBER, JOHN R. EPLEE, SUSAN HUMPHRIES, DOUG BLEX, LESLIE OSTERMAN, KEN RAHJES, SEAN E. TARWATER, WILLIE DOVE, KEITH ESAU, JOHN RESMAN, GREG LAKIN, DANIEL R. HAWKINS, STEVE HUEBERT, TROY WAYMASTER, RON RYCKMAN, BRENDA

K. LANDWEHR, ADAM SMITH, FRANCIS AWERKAMP, LES MASON

MR. SPEAKER: Today I voted yes for **SB 85** (Simon's Law). The postcards, sponsored ads, emails, and 2018 election do not concern me. Doing the right thing is what matters to me. Little blessings like Simon may be on Earth for a matter of minutes, hours, or years. These vulnerable babies are not yet able to speak for themselves and I feel that their parents are their voices, NOT the doctors. We may not know the reason for the brevity of a baby's life, but there is a reason. Simon's life taught an important lesson and my hope is that we learn from this and make changes. – SHELEE BRIM

MR. SPEAKER: I vote Yes on **SB 85**. I sincerely believe that one of government's most essential and valuable responsibilities is to protect the life of its weakest and most vulnerable citizens, and that is the life of a child. That is why, I voted "Yes" for SB 85, or more respectfully known as "Simon's Law." In the Hebrew language, Simon means "to listen or to hear." I have heard the cry for help and for justice. I stand for the sanctity of life and I will always respond to the cry for help, as long as I live, so help me God. – TREVOR JACOBS

SB 149, AN ACT concerning the attorney general; relating to briefs in a criminal matter or postconviction case in the supreme court or court of appeals; legal representation charges; legal services; creating the attorney general's state agency representation fund, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Garber, Gartner, Good, Hawkins, Helgeson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Frownfelter, Ward.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed, as amended.

SB 174, AN ACT concerning higher education; authorizing the affiliation of Wichita area technical college with Wichita state university; amending K.S.A. 72-4472 and 74-4931 and K.S.A. 2016 Supp. 72-4470a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Gallagher.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Vickrey in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Vickrey, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 184**, **HB 2360** be passed.

Committee report recommending a substitute bill to **HB 2277** be adopted; on motion of Rep. Landwehr, **Sub HB 2277** be amended on page 1, in line 7, by striking the third "a" and inserting "one or more"; in line 8, by striking "area" and inserting "areas"; in line 12, by striking the second "the" and inserting "any"; in line 23, by striking "a"; also in line 23, by striking "permit" and inserting "permits";

On page 2, in line 32, after "barrier" by inserting "or any apparent line of demarcation"; and **Sub HB 2277** be passed as amended.

Committee report recommending a substitute bill to **SB 70** be adopted; on motion of Rep. Whitmer, **H Sub for SB 70** be amended on page 1, in line 17, after the semicolon by inserting "and";

On page 4, in line 34, by striking all after "than"; by striking all in lines 35 and 36; in line 37, by striking all before "1,000,000"; also in line 37, by striking all after "occurrence"; by striking all in line 38; in line 39, by striking all before the comma and inserting "with a \$2,000,000 annual aggregate";

On page 6, in line 4, after "methods" by inserting "in accordance with ASTM F747 standards"; in line 12, after "actually" by inserting "supervising, or";

On page 8, in line 7, after "decal" by inserting "provided by the department"; following line 23, by inserting:

"(e) The secretary shall develop an inspection check list, which shall be posted on the department's website." and **H Sub for SB 70** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2408** be passed.

Committee on **Taxation** recommends **HB 2395** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2395," as follows:

"Substitute for HOUSE BILL NO. 2395

By Committee on Taxation

"AN ACT concerning taxation; relating to income tax, rates, determination of Kansas adjusted gross income and deductions; sales and compensating use tax, rates, food and food ingredients; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269.";

And the substitute bill be passed.

(**Sub HB 2395** was thereupon introduced and read by title.)

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 68, by Representative Patton, congratulating Eva Christine O'Connor on her 100th birthday;

Request No. 69, by Representative Good, congratulating Sue E. Givens in recognition for being 2017 Kansas Superintendent of the Year;

Request No. 70, by Representative Dierks, commending Rex Campbell for administering CPR and saving the life of teammate Aaron Hurd;

Request No. 71, by Representative Highland, congratulating Manhattan CHIEF Boys' Basketball Team for winning the National Championship in the Christian Homeschool Large Program Division 2-C category;

Request No. 72, by Representative Becker, congratulating Hutchinson Community College Blue Dragons for being NJCAA 2017 Men's Basketball National Champions;

Request No. 73, by Representative Weber, honoring Bill Hesse for his legacy of bringing Kansas communities together through baseball;

Request No. 74, by Representative Weber, honoring Ruth Bramble Humphrey for her legacy of bringing Kansas communities together through baseball;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5014** by Reps. Ryckman, Hineman and Ward, was introduced and adopted.

HCR 5014— A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period during the 2017 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on March 30, 2017, and shall reconvene on April 3, 2017, pursuant to adjournment of the daily session convened on March 30, 2017; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day during this period of adjournment; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during this period of adjournment shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **H Sub for SB 126** from the Calendar under the heading General Orders and referral to Committee on Appropriations.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Davis to replace Rep. Schwab on Committee on K-12 Education Budget on March 30, 2017.

REPORT ON ENGROSSED BILLS

HB 2362 reported correctly engrossed March 29, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Monday, April 3, 2017.

BILLS STRICKEN FROM THE CALENDAR

In accordance with House Rule 1507, the following bills were stricken from the calendar for March 30, 2017: **SB 47, H Sub for SB 8, SB 78.**

Journal of the House

FIFTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, April 3, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Heavenly Father God,
We stand before You this morning
with what promises to be a long and perhaps difficult week.
Thank You for Your faithfulness and
for how You have helped these leaders throughout this session.
Today, I especially ask that You will bring into completion
the work that You have begun in these leaders.
I pray that You will help each one
abound more and more in Your knowledge and depth of insight,
so they may be able to discern what is best and right.
I ask that You help them to imitate You by
doing nothing out of selfish ambition or vain conceit,
but in humility, consider others better than themselves.
Help them to look not to their own interests, but to the interests of others.
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Deere.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Weber are spread upon the Journal:

I come before you today to shine a light on a bit of Kansas history you may not know about--and to honor the memory of Kansans who helped build this great state.

If you would, take your minds and imaginations back 100 years. America was engaged in the war to end all wars...World War I.

Kansas oilfield workers were fueling that fight for freedom—working 60 to 70 or more hours a week coaxing crude oil out of the ground. It was tough, dangerous work. Oil towns filled with families popped up everywhere the drill found black gold.

But on Sunday, instead of kicking back with a cool drink, these same roughnecks put on wool uniforms similar to what you see worn here, and took to the baseball diamond to play for their Town Team.

Historians tell us that between 1900 and 1910, there were at least 300 Town Teams across the State of Kansas. The residents of those towns lived and died with their teams. We like to think about “the good old days,” but the fact of the matter is...life was tough...and entertainment was a real luxury in Kansas. That's where the Town Teams filled the void. Dodge City and Deerfield; Newton and Norton; Wakeeny and Wamego; Atchison and Iola...and dozens of other Town Teams ...many of the towns don't even exist anymore.

The Kansas City Monarchs - the premier professional Negro League Championship team of that era—would also travel across the state to play exhibition games drawing huge crowds. Even then, due to the scourge of segregation, baseball brought people together who otherwise wouldn't be together.

In fact, baseball was the Social Media network of its day—a way of connecting one town to another—and very often a point of not just community pride, but a competitive selling point for economic development. Town Teams were bigger than Baseball...much bigger.

It's a story you probably haven't heard before—until now. Thanks to the innovation, drive and creativity of a home-grown Kansas Company, DHTV Digital of Shawnee, this forgotten era of Kansas history is forgotten no more.

The historical documentary *Town Teams—Bigger Than Baseball* is a Kansas-produced treasure that will be showing in the Visitor's Center Theater here in the Capitol at noon. *Town Teams—Bigger Than Baseball* is written and produced by Mark Honer, a Kansas native from El Dorado who once attended Oil Hill Elementary School.

The documentary features two Kansans reminiscent of a once-forgotten era of state history—Ruth Bramble Humphrey is the granddaughter of Fred "Dad" Bramble, the star player for Oil Hill who is featured in the film.

We are also joined by Bill Hesse, one of the last Town Team era ball players from the 1940's who is also featured in the film.

Ruth and Bill are here as living examples symbolizing the grit, determination and spirit of the Kansas oil worker and their families who carved out a slice of civilization from an unforgiving frontier while also finding the time and energy to bring together baseball fans from across this great state.

And so, it is fitting on this the official Opening Day of the Major League Baseball season, that we honor the memory of these great Kansans, while also taking a moment to bask in the glory of America's Game—made even greater by the Kansas legacy of these newly discovered Town Teams.

I ask you now to rise and honor these Kansans by joining them in singing “*Take Me Out to the Ballgame*,” where we'll root, root, root for the Town Team...a one, a two a three....

Rep. Weber led the members of the House in singing “*Take Me Out to the Ballgame*” and presented framed House certificates to his guests.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2416**.

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **H Sub for SB 126** from Committee on Appropriations and referral to Committee on Children and Seniors.

Also, the withdrawal of **HB 2282** from Committee on Appropriations and rereferral to Committee on Commerce, Labor and Economic Development.

Also, the withdrawal of **SB 120** from Committee on Appropriations and rereferral to Committee on Judiciary.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for HB 2026** and has appointed Senators V. Schmidt, Bollier and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2212** and has appointed Senators Baumgardner, Doll and Hensley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2213** and has appointed Senators Baumgardner, Doll and Hensley as conferees on the part of the Senate.

Announcing passage of **SB 86, SB 135, Sub for SB 189, SB 202**.

Announcing passage of **HB 2041**, as amended; **HB 2085**, as amended; **HB 2092**, as amended; **HB 2158**, as amended; **HB 2301**, as amended.

Announcing adoption of **HCR 5003**.

Also, announcing passage of **SB 138, SB 179, SB 205**.

Announcing passage of **HB 2054**, as amended; **HB 2095**, as amended; **HB 2111**, as amended; **HB 2153**, as amended; **HB 2170**, as amended; **HB 2313**, as amended.

Announcing passage of **HB 2053**, as amended by **Senate Substitute for HB 2053; HB 2174**, as amended by **Senate Substitute for HB 2174**.

Announcing adoption of **HCR 5014**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 86, SB 135, SB 138, SB 179, SB 189, SB 202, SB 205.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Jennings to take **HB 2044** from the table, the motion prevailed.

On motion of Rep. Concannon the House proceeded to reconsider **HB 2044 AN ACT** concerning the department of health and environment; establishing the KanCare bridge to a healthy Kansas program; concerning clubhouse-based psychosocial rehabilitation programs.

The Governor's objection to **HB 2044** having been read (see HJ Page 564) the question being, shall the bill be passed notwithstanding the Governor's veto?

Call of the House was demanded.

On roll call, the vote was: Yeas 81; Nays 44; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Eplee, Finney, Frownfelter, Gallagher, Gartner, Good, Helgeson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Aurand, Awerkamp, Barker, Blex, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Esau, Finch, Francis, Garber, Hawkins, Highland, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Osterman, R. Powell, Rafie, Rahjes, Resman, Ryckman, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: None.

A two-thirds majority of the members elected to the House not having voted in favor of the bill over the Governor's veto, the motion did not prevail, the bill did not pass, and the veto was sustained.

EXPLANATIONS OF VOTE

MR. SPEAKER: I have serious concerns with provisions in this plan. However, with one local hospital for sale and both absorbing increasing financial pressures, I am also concerned with ensuring health care access for our families. The hospital association and our health providers indicate expansion will help alleviate those financial pressures, protecting our community from hospital closures and job losses. For this reason, I vote to override the Governor on **HB 2044**. I call on the hospital association to quickly develop improvements to this bill that include work requirements, self-funding mechanisms and protections for taxpayers based on more effective plans implemented in other states. — FRED C. PATTON

MR. SPEAKER: My constituents depend on the stability of our Western Kansas hospitals. Though expansion has been promoted as a solution for our rural hospitals, this plan does not prioritize rural Kansas. Estimates indicate half the funding would go to hospitals in Kansas City and Wichita. Meanwhile, Western Kansas hospitals stand to benefit the least with some receiving as little as \$3,000. Furthermore, the fiscal note estimates the 2nd year cost to be over \$56 million. Without pay-fors, expansion will take scarce funding from other critical services. For these reasons, I cannot support **HB 2044**. — SHANNON FRANCIS

MR. SPEAKER: I vote in favor of overriding the governor's veto. The research I have done indicates expansion will be a benefit to Kansas and Kansans. From a personal perspective, I would like to share the story of our daughter, Gretchen. She is 28 and works four jobs to pursue her dream in an expansion state. With her physical birth

defects, she is unable to find health insurance on her, but found it in the state's marketplace. My vote is not for our Gretchen, but for the next Gretchen. – MARK SCHREIBER

MR. SPEAKER: In addition to the reasons already given by my colleagues, my vote today is on behalf of my constituents who are currently in the process of paying their federal income tax bills. Those checks being written to the US Treasury are the dollars we are leaving on the table by not expanding Medicaid. Bringing those dollars home to Kansas will benefit our economy here at home. I vote YES to override the governor's veto of **HB 2044** to put Kansas taxpayer dollars back to work in the Kansas economy on behalf of our citizens. – MELISSA ROOKER

MR. SPEAKER: After the veto message was read last week I was very concerned that some of us would back away from supporting the Medicaid Expansion, hiding behind the Governor's abortion related comments. So, I called my Bishop. I received an email from him this morning that said, "all four Bishops support the Expansion." I vote yes to override. – SYDNEY CARLIN

MR. SPEAKER: I stand today in support of the Override of the Governor's Veto regarding Medicaid Expansion. This past weekend I received several emails and phone calls from my constituents regarding this vote, the majority of which encouraged me to vote yes. I am sure that there are several in the Gallery that feel the same way. I vote yes on the override. – DIANA DIERKS

MR. SPEAKER: The tribal clinics and hospitals of Kansas are on the line as well, since they pay for those who are not insured. The tribal governments must pick up all remaining costs associated with clinic operations and provider costs. Medicaid Expansion will help the tribe of Kansas pay for these cost in order for tribal members to receive adequate health care. I vote Yes on the override of the Governor's veto. – PONKA-WE VICTORS

MR. SPEAKER: I voted no today because I do not believe Medicaid Expansion is the answer to the pressing challenges facing our state. I very much respect my colleagues in this chamber who have come to a different conclusion.

With the perilous budget situation we have in Kansas, the recent school finance decision, and the continued uncertainty at the federal level, now is not the time to take upon a multi year commitment that our state may not be able to afford. – DANIEL R. HAWKINS, GREG LAKIN, TONY MAIRE ARNBERGER, RANDY POWELL, KYLE D. HOFFMAN, TREVOR JACOBS, JACK THIMESCH, STEVE HUEBERT, JOHN RESMAN, LEO DELPERDANG, JOHN E. BARKER, KRISTEY WILLIAMS, RONALD L. HIGHLAND, WILLIE DOVE, LESLIE OSTERMAN, JOE SEIWERT

Mr. Speaker: I represent the 87th District in East Wichita. Wichita is a mecca for major medical services which are next to none. However, there are several thousand Sedgwick County residents who are not receiving medical care at the time, and I cannot turn my back on them. I continue to vote "Aye" on this important issue. – ROGER ELLIOTT

MR. SPEAKER: The proponents of this bill point out this bill helps hard working Kansans. My contention is just the opposite. I own a business with a location in St. Louis. We employ Illinois workers that benefit from expansion. These workers will not

accept a promotion or a raise. In some cases, they request fewer hours or to be paid with cash because it will affect their expanded Medicaid. Therefore, our Missouri employees receive the promotions and are bettering themselves and their families. This bill will repress hard working Kansans. I vote NO on **HB 2044**. – SEAN TARWATER

MR. SPEAKER: That moment is here for us. We have the ability to help people who truly need it the most. We have the ability to make a decision today that will save lives. Not just one, but potentially thousands. Who would you be helping? 150,000 Kansans who are primarily the working poor. Of that number: 80% are working full or part time. -Notably, 7,400 of these people are veterans. VETERANS!!! I ask you to help our veterans, and help the needy by supporting expansion. – CINDY HOLSCHER

MR. SPEAKER: I rise to explain my “aye” vote to override the governor’s veto on Medicaid expansion. The Kansas Hospital Association has estimated that Kansas has missed out on \$1.7 billion that could have gone to hospitals, clinics, and mental health institutions – Let alone help our citizens out. This is money that our rural communities are missing out on. If we continue to defund health care, education, and roads, we will continue to turn the lights out on our small towns. – TIM HODGE

MR. SPEAKER: This weekend I received many calls and emails to vote for the Medicaid Expansion override. I replied I planned to vote in favor and would also speak in favor of the override. There are many Kansans who need health care and we represent these individuals. It is our responsibility to provide the help they need. I hope you will change your No vote. – BARBARA BALLARD

MR. SPEAKER: I vote YES to override to the Governor’s veto of **HB 2044**. In this chamber, we talk a lot about putting people to work. Passing this bill would help thousands of Kansans with physical disabilities find work or keep work. Without Medicaid expansion, many people with disabilities are in the position of having to choose between working a minimum wage job (which even at full time pays less than 138% of the federal poverty level, making them ineligible for subsidized insurance under the ACA), or applying for disability and not working, but getting health care. Is that the kind of choice we want to force people to make? I support overriding the Governor’s veto. – DENNIS “BOOG” HIGHBERGER

MR. SPEAKER: As leaders we are to imagine what the world should look like and compare it to where we are now. Then, as a leader, we must work to close the gap. Expansion was a chance to narrow the gap to be a society where individuals have affordable healthcare available. It was a chance to remove the incentive for the working poor to lower their income (go on welfare) in order to qualify for current KanCare. I weighed the balance between expense in medical coverage and providing healthcare to the needy. I voted to override. – JAN KESSINGER

MR. SPEAKER: Committing taxpayers to another \$70+ million while the budget remains unbalanced will ultimately backfire on our families, resulting in less funding for our schools and essential services. I cannot in good conscience expand coverage for some knowing it could jeopardize funding for others in need. I recognize the financial pressures on our hospitals, the needs of Kansans, and the benefits of increased coverage. I would support a budget-neutral plan that contains costs and has able-bodied

recipients contribute something to the costs of their care. I am committed to working with hospitals, health foundations and others to develop that Kansas solution. – BLAINE FINCH

MR. SPEAKER: I support the veto override of **HB 2044**. My constituents overwhelmingly support Medicaid expansion. The reasons cited by the governor for his veto are not valid. It is disingenuous to use the waiting lists for HCBS waiver services as an excuse to oppose expansion. The disability community overwhelmingly supports and needs expansion. It is wrong to link this issue with work requirements. This isn't a welfare bill, it's about providing access to healthcare for the working poor, caregivers and others. It's time for Kansas tax dollars to come back here to work for us, rather than going to other states. – LINDA GALLAGHER

INTRODUCTION OF ORIGINAL MOTIONS

Rep. Ward moved to change the sequence of General Orders under House Rule 1503(a) to consider **HB 2042** as the first order of business under the heading General Orders on April 4, 2017. The motion will be printed in the Calendar of April 4, 2017, under the order of business “Motions and Resolutions Offered on a Previous Day.”

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6027**—

By Representative Kelly

HR 6027—A RESOLUTION designating April 4, 2017, as Senior Corps and National Service Day at the Capitol.

WHEREAS, Service to others is central to how the United States meets and overcomes challenges and is one of the hallmarks of our American character; and

WHEREAS, States are increasingly turning to national service and volunteerism as a cost-effective strategy to meet local needs; and

WHEREAS, National service expands economic opportunities as it creates more sustainable and resilient communities, provides participants with education, and also offers them career and leadership skills; and

WHEREAS, National service is a unique public and private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer money; and

WHEREAS, National service participants demonstrate their commitment, dedication and patriotism by making extensive commitments to public service; and

WHEREAS, Senior Corps and National Service Day participants address the most pressing challenges facing our communities. They educate students to do jobs in the 21st century, support veterans and military families, provide health services, and help communities recover from natural disasters; and

WHEREAS, For 2016-2017, the Corporation for National and Community Service committed more than \$7,610,000 to support Kansas communities through national service initiatives, while leveraging an additional \$4,680,000 in other resources to strengthen community impact, build local support and increase the return on taxpayer

dollars; and

WHEREAS, More than 3,900 Senior Corps participants serve in approximately 24 programs in more than 900 locations across Kansas, bolstering the civic, neighborhood and faith-based organizations that are so vital to Kansas' economic and social well-being; and

WHEREAS, The Kansas Association of Senior Corps Directors, with the help of their local funders, the Corporation for National and Community Service and national service programs across Kansas engage residents, improve lives and strengthen communities; and

WHEREAS, This body participates fully in National Service Recognition Day, and encourages residents to recognize the positive impact of national service in our country, to thank those who serve and to find ways to give back to their communities: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we declare April 4, 2017, as Senior Corps and National Service Day at the Capitol; and

Be it further resolved: That we recognize and congratulate Kansas national service programs for their contributions to local communities; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to Margaret Garvey, State Director of the Corporation for National and Community Service for Kansas and Missouri; Kim Mansaray, Acting Chief Executive Officer of the Corporation for National and Community Service; and Representative Kelly.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2277, AN ACT concerning alcoholic liquor; creating common consumption areas designated by cities and counties; authorizing common consumption area permits; amending K.S.A. 2016 Supp. 41-719 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 11; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Blex, DeGraaf, Ellis, Helgerson, Jacobs, Jennings, Mason, Mastroni, Schroeder, Smith, E., Vickrey.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed, as amended.

HB 2360, AN ACT concerning the administration of the state employee health benefits plan; creating the division of state employee health benefits plan in the department of administration, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 26; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Blex, Brim, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Bishop, Burroughs, Carmichael, Crum, S., Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Jennings, Kuether, Lusk, Neighbor, Parker, Phelps, Pittman, Ruiz, Terrell, Trimmer, Victors, Ward, Winn.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

H Sub for SB 70, AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 40-4801 and K.S.A. 2016 Supp. 40-4802, 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 44-1615, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Thimesch.

Present but not voting: None.

Absent or not voting: None.
The substitute bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: Thank you. I vote yes on **H Sub for SB 70**. – SCOTT SCHWAB

SB 184, AN ACT establishing the Kansas intelligence fusion center act, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that **Sub for Sub SB 95** be passed.

HB 2409, **HB 2279**, **HB 2180**, **HB 2398** be passed over and retain a place on the calendar.

Committee report to **SB 96** be adopted; on motion of Rep. Helgerson to amend **SB 96**, the motion did not prevail.

Also, on motion of Rep. Whitmer to amend **SB 96**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2235** be adopted; and the bill be passed as amended.

Committee report to **HB 2407** be adopted; on motion of Rep. Frownfelter to amend,

Rep. Sutton requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **SB 83** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to House Rule 2306, to move **HB 2398** from the Calendar under the heading General Orders and rereferral to Committee on Federal and State Affairs, the motion prevailed.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2364** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2364," as follows:

"Substitute for HOUSE BILL NO. 2364

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, and June 30, 2020, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-5256, 55-193, 68-2320, 74-4920, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections.";

And the substitute bill be passed.

(**Sub HB 2364** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **SB 23** be amended on page 15, in line 22, after "commissioner" by inserting ", subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto,"; in line 28, before the period by inserting "and shall be subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto"; also in line 28 by striking all after the period; by striking all in lines 29 and 30;

On page 16, following line 8, by inserting:

"Sec. 12. K.S.A. 2016 Supp. 17-12a302 is hereby amended to read as follows: 17-12a302. (a) *Required filing of records.* With respect to a federal covered security, as defined in section 18(b)(2) of the securities act of 1933 (15 U.S.C. § 77r(b)(2)), that is not otherwise exempt under K.S.A. 17-12a201 through 17-12a203, and amendments thereto, a rule adopted or order issued under this act may require the filing of any or all of the following records:

(1) Before the initial offer of a federal covered security in this state, all records that are part of a federal registration statement filed with the securities and exchange commission under the securities act of 1933 and a consent to service of process complying with K.S.A. 17-12a611, and amendments thereto, signed by the issuer and the payment of a fee not to exceed \$2,500;

(2) after the initial offer of the federal covered security in this state, all records that are part of an amendment to a federal registration statement filed with the securities and exchange commission under the securities act of 1933; and

(3) to the extent necessary or appropriate to compute fees, a report of the value of the federal covered securities sold or offered to persons present in this state, if the sales

data are not included in records filed with the securities and exchange commission and payment of a fee not to exceed \$2,500.

(b) *Notice filing effectiveness and renewal.* A notice filing under subsection (a) is effective for one year commencing on the later of the notice filing or the effectiveness of the offering filed with the securities and exchange commission. On or before expiration, the issuer may renew a notice filing by filing a copy of those records filed by the issuer with the securities and exchange commission that are required by rule or order under this act to be filed and by paying a renewal fee not to exceed \$2,500. A previously filed consent to service of process complying with K.S.A. 17-12a611, and amendments thereto, may be incorporated by reference in a renewal. A renewed notice filing becomes effective upon the expiration of the filing being renewed.

(c) *Notice filings for federal covered securities under section 18(b)(4)(E)(F).* With respect to a security that is a federal covered security under section 18(b)(4)(E)(F) of the securities act of 1933 (15 U.S.C. § 77r(b)(4)(E)(F)), a rule under this act may require: (1) A notice filing by or on behalf of an issuer to include a copy of form D, including the appendix, as promulgated by the securities and exchange commission, and a consent to service of process complying with K.S.A. 17-12a611, and amendments thereto, signed by the issuer, not later than 15 days after the first sale of the federal covered security in this state; and (2) the payment of a fee not to exceed \$2,500 for a timely filing and the payment of a fee not to exceed \$5,000 for any late filing.

(d) *Stop orders.* Except with respect to a federal security under section 18(b)(1) of the securities act of 1933 (15 U.S.C. § 77r(b)(1)), if the administrator finds that there is a failure to comply with a notice or fee requirement of this section, the administrator may issue a stop order suspending the offer and sale of a federal covered security in this state. If the deficiency is corrected, the stop order is void as of the time of its issuance and no penalty may be imposed by the administrator other than a late filing fee.

Sec. 13. K.S.A. 2016 Supp. 17-12a402 is hereby amended to read as follows: 17-12a402. (a) *Registration requirement.* It is unlawful for an individual to transact business in this state as an agent unless the individual is registered under this act as an agent or is exempt from registration as an agent under subsection (b).

(b) *Exemptions from registration.* The following individuals are exempt from the registration requirement of subsection (a):

(1) An individual who represents a broker-dealer in effecting transactions in this state limited to those described in section 15(i)(3) of the securities exchange act of 1934 (15 U.S.C. § 78o(i)(3));

(2) an individual who represents a broker-dealer that is exempt under K.S.A. 17-12a401(b) or (d), and amendments thereto;

(3) an individual who represents an issuer with respect to an offer or sale of the issuer's own securities or those of the issuer's parent or any of the issuer's subsidiaries, and who is not compensated in connection with the individual's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

(4) an individual who represents an issuer and who effects transactions in the issuer's securities exempted by K.S.A. 17-12a202, and amendments thereto, other than K.S.A. 17-12a202 (11) and (14), and amendments thereto;

(5) an individual who represents an issuer that effects transactions solely in federal covered securities of the issuer, but an individual who effects transactions in a federal

covered security under section 18(b)(3) or 18(b)(4)(~~E~~)(~~F~~) of the securities act of 1933 (15 U.S.C. § 77r(b)(3) or 77r(b)(4)(~~E~~)(~~F~~)) is not exempt if the individual is compensated in connection with the agent's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

(6) an individual who represents a broker-dealer registered in this state under K.S.A. 17-12a401(a), and amendments thereto, or exempt from registration under K.S.A. 17-12a401(b), and amendments thereto, in the offer and sale of securities for an account of a nonaffiliated federal covered investment adviser with investments under management in excess of \$100,000,000 acting for the account of others pursuant to discretionary authority in a signed record;

(7) an individual who represents an issuer in connection with the purchase of the issuer's own securities;

(8) an individual who represents an issuer and who restricts participation to performing clerical or ministerial acts; or

(9) any other individual exempted by rule adopted or order issued under this act.

(c) *Registration effective only while employed or associated.* The registration of an agent is effective only while the agent is employed by or associated with a broker-dealer registered under this act or an issuer that is offering, selling, or purchasing its securities in this state.

(d) *Limit on employment or association.* It is unlawful for a broker-dealer, or an issuer engaged in offering, selling, or purchasing securities in this state, to employ or associate with an agent who transacts business in this state on behalf of broker-dealers or issuers unless the agent is registered under subsection (a) or exempt from registration under subsection (b).

(e) *Limit on affiliations.* An individual may not act as an agent for more than one broker-dealer or one issuer at a time, unless the broker-dealer or the issuer for which the agent acts are affiliated by direct or indirect common control or are authorized by rule or order under this act.";

Also on page 16, in line 9, after the first comma by inserting "17-12a302, 17-12a402,";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after the semicolon by inserting "the Kansas uniform securities act; updating references to the federal securities act of 1933;"; in line 8, after the first comma by inserting "17-12a302, 17-12a402,"; and the bill be passed as amended.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House concurred in Senate amendments to **HB 2140**, AN ACT concerning firefighting; relating to interstate compacts; great plains interstate fire compact.

Call of the House was demanded.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schwab.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Hawkins, the House concurred in Senate amendments to **HB 2030**, AN ACT concerning the administration of vaccines; reports relating thereto; amending K.S.A. 2016 Supp. 65-1635a and repealing the existing section.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Humphries, Jacobs.

Present but not voting: None.

Absent or not voting: None.

On motion of Rep. Hawkins, the House concurred in Senate amendments to **HB 2025**, AN ACT concerning the board of nursing; relating to assistant attorneys general; reinstatement of licenses; fees; mental health technician's licensure act; amending K.S.A. 65-4203, 65-4208 and 74-1111 and K.S.A. 2016 Supp. 65-1118, 65-4202 and 65-4212 and repealing the existing sections.

On roll call, the vote was: Yeas 114; Nays 11; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks,

Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Blex, B. Carpenter, DeGraaf, Garber, Jacobs, K. Jones, Mason, Osterman, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: None.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 149**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 149**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **HB 2041** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **S Sub for HB 2053** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **HB 2054** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurrred in Senate amendments to **HB 2085** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Jennings, Whitmer and Highberger as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurrred in Senate amendments to **HB 2092** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Jennings, Whitmer and Highberger as conferees on the part of the House.

On motion of Rep. Kelly, the House nonconcurrred in Senate amendments to **HB 2111** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Kelly, R. Powell and Trimmer as conferees on the part of the House.

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **HB 2128** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **HB 2153** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Esau, the House nonconcurrred in Senate amendments to **HB 2158** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Esau, B. Carpenter and Miller as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2170** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as conferees on the part of the House.

On motion of Rep. Osterman, the House nonconcurrred in Senate amendments to **S Sub for HB 2174** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Osterman, Clark and Weigel as conferees on the part of the House.

On motion of Rep. Finch, the House nonconcurrred in Senate amendments to **HB 2301** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **HB 2313** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Victors to replace Rep. Burroughs on Committee on Taxation on April 3, 2017.

REPORT ON ENGROSSED BILLS

Sub HB 2277 reported correctly engrossed March 30, 2017.

REPORT ON ENROLLED BILLS

HB 2066, HB 2164 reported correctly enrolled, properly signed and presented to the Governor on March 31, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6024, HR 6025 reported correctly enrolled and properly signed on April 3, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, April 4, 2017.

Journal of the House

FIFTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, April 4, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Lord God,
We are thankful today
for the hope and the mercy that You give
anew each and every day.
As these leaders continue to make decisions
that affect the citizens of this great state,
help them to seek wisdom that comes from You –
wisdom that is pure, peace-loving,
considerate, full of mercy, impartial and sincere.
May they be quick to listen, slow to speak;
quick to ask for guidance, slow to criticize.
Help them to be wise in the way they act towards each other;
to make the most of every opportunity;
and may their conversation be always full of grace.
In Christ's Name I pray,
Amen.

The Pledge of Allegiance was led by Rep. Pittman.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Highland are spread upon the Journal:

It is an honor to bring before you today the athletes and coaches representing the Christian Homes in Educational Fellowship (CHIEF) boys' basketball team. CHIEF is a non-profit organization that provides support to Christian homeschooling families in the Manhattan and Wamego areas.

They earned their way to the state and national championship tournaments, with an outstanding record that included four overtime victories. In March, the CHIEF boys' basketball team won the 2017 National Championship title in the boys' Varsity Large

Program Division 2C at the National Christian Homeschool Championship held in Springfield, Missouri. There were 340 teams from 18 states present at this Championship.

This is a great achievement they earned, and is a direct result of the hard work and dedication these young men have displayed. I am proud to congratulate and introduce the players and coaches associated with the CHIEF boys' basketball team today.

The players here with me today are Patrick Schrader 1, Cody Mericle 2, Josh Upshaw 3, Derek Bowman 4, Nathan McNellis 5, Luke Casada 13, Luke McNellis 15, Noah Salts 20, Dylan Peters 22, Josh Patterson 24, James Wilson 44. The coaches include Head Coach John Peters, Assistant Coaches DeQuaan Simmons, Sid Catterson, John McNellis, and Doug Mericle. The Athletic Director is Troy Bowman. It is my honor to present the team and coaches with a certificate from the Kansas House of Representatives.

Please join me in congratulating them on their win.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Rafie are spread upon the Journal:

27,000 children are touched by the child welfare system in KS each year. In those same communities, 1.3 million adults claim the Christian faith. The math is simple. If each church mobilized its people, there would be more support then needed.

CarePortal is a platform for that mobilization.

The technology enables child welfare professionals from participating agencies to quickly communicate with participating churches by inputting a need and connecting with churches in the same zip code of the child or family that they are serving. This allows the church a simple, vetted and immediate way to respond to those in crisis, right in their own neighborhoods. Some have called the CarePortal technology "the Uber of the child welfare system".

The concept is so easy, and it's already working. Since March of 2015t 173 congregations in 19 counties in Kansas have impacted 1,698 children. Nationwide, 1,092 congregations in 11 states have impacted nearly 10,000 children. We are so excited to see this church/state partnership expand to every county in Kansas. To learn more, visit CarePortal.org or email Tate@goproject.org

Rep. Rafie recognized the following people: Tate Williams, State Director CarePortal; Jim West, Sr. Pastor, Colonial Presbyterian Church; Deacon Dana Narmeyer, Director of Evangelization, Archdiocese of Kansas City in Kansas and LaRochelle Young, Deputy Director, DCF Faith Based and Community Initiatives.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2417, AN ACT concerning firearms; relating to the personal and family protection act; authorizing prohibition of firearms in secured areas of state hospitals;

amending K.S.A. 2016 Supp. 75-7c20 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **Sub SB 189.**

Federal and State Affairs: **SB 86, SB 135, SB 202.**

Financial Institutions and Pensions: **SB 138, SB 205.**

Judiciary: **SB 179.**

CHANGE OF REFERENCE

Speaker pro tem Schwab announced the withdrawal of **SB 13** from Committee on Appropriations and referral to Committee on Commerce, Labor and Economic Development.

COMMUNICATIONS FROM STATE OFFICERS

From Samuel M. Williams, Secretary of Revenue, Kansas Department of Revenue, pursuant to K.S.A. 74-50, 118(c), annual report to the Governor and Legislature estimating the state tax expenditures from income tax credits claimed and sales tax exemptions allowed under the Kansas Enterprise Zone Act.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Kelly, **HR 6027**, A RESOLUTION designating April 4, 2017, as Senior Corps and National Service Day at the Capitol, was adopted.

There being no objection, the following remarks of Rep. Kelly are spread upon the Journal:

More than 3,900 seniors in Kansas contribute their time and talents in one of three Senior Corps programs. Foster Grandparents serve one-on-one as tutors and mentors to more than 7,100 young people who have special needs. Senior Companions help more than 490 homebound seniors and other adults maintain independence in their own homes. RSVP volunteers renovate homes, tutor and mentor youth, respond to natural disasters, provide transportation to medical appointments, serve our veterans and military, deliver meals, help at food pantries, offer free tax preparation services and provide other services through more than 740 groups across Kansas. In a recent report, the Kansas Association of Senior Corps Directors reported an average of over one million hours in volunteer service is provided each year by Senior Corps Volunteers in these three programs.

Not only do our state and our communities benefit from Senior Corps Volunteers, but, over the past two decades there has been research that indicates volunteering provides individual health benefits, in addition to social ones, to the volunteers.

Today I have with me representatives from these three Senior Corps programs: Foster Grandparents – Ada Wilson; RSVP Volunteers – Luella Lovelace & Kathy Shepard;

Senior Companions – Samuel Linnebur.

At a time when fiscal restraint is a must, National Service is a wise investment of taxpayer dollars and is good for Kansans. Please join with me in thanking these Senior Corps Volunteers who represent these three programs that are truly making a difference in the state of Kansas.

MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

Roll call was demanded on motion of Rep. Ward to move **HB 2042** to the first measure to be considered on General Orders today.

On roll call, the vote was: Yeas 44; Nays 81; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Ballard, Bishop, Brim, Burroughs, Carlin, Carmichael, Clayton, Crum, Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Averkamp, Baker, Barker, Becker, Blex, Campbell, Carpenter, Claey's, Clark, Concannon, Corbet, Cox, Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, Patton, Phillips, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, A. Smith, E. Smith, Sutton, Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, Wheeler, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: None.

The motion of Rep. Ward did not prevail.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2235, AN ACT concerning sales and use taxation; relating to the administration thereof; required notices and reports, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 21; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claey's, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Corbet, DeGraaf, Delperdang, Dove, Garber, Hawkins, Helgerson, Houser, Huebert, Jacobs, K. Jones, Landwehr, Mason, Osterman, R. Powell, Resman, Sutton, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

HB 2407, AN ACT concerning real estate; relating to duties of the attorney general and the secretary of administration, was considered on final action.

On roll call, the vote was: Yeas 108; Nays 17; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Campbell, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Markley, Mason, Mastroni, Neighbor, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn.

Nays: Alcalá, Burroughs, Carlin, Curtis, Frownfelter, Hodge, Lusker, Miller, Murnan, Ohaebosim, Ruiz, Sawyer, Stogsdill, Victors, Ward, Weigel, Wolfe Moore.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2407**. The Governor has ignored votes in both Chambers. As long as he continues to ignore those, and continues to tie the hands of our local governments, our communities, and our neighborhoods, there is no reason he should be able to pick and choose what he wants when he does not allow our communities to do so. Therefore, I must vote no on this bill. — STAN FROWN FELTER

SB 83, AN ACT concerning the Kansas propane safety and licensing act; amending K.S.A. 55-1807 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly,

Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

Sub for Sub SB 95, AN ACT authorizing telephonic signatures for public assistance applications; relating to powers, duties and functions of the Kansas department for children and families, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 4; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Jacobs, Landwehr, Schroeder, Whitmer.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

SB 96, AN ACT concerning the Kansas cigarettes and tobacco products act; relating to definitions, licenses and permits, suspension or revocation licenses, stamps, records required of dealers, unlawful acts, penalties, sale of cigarettes, application of certain laws to taxes, remittance of taxes, escrow deposits, taxation of electronic cigarettes; amending K.S.A. 79-3304, 79-3309, 79-3323, 79-3324a, 79-3326 and 79-3378 and K.S.A. 2016 Supp. 50-6a07, 79-3301, 79-3302, 79-3303, 79-3311, 79-3312, 79-3316, 79-3321, 79-3322, 79-3333, 79-3335, 79-3387, 79-3391, 79-3392, 79-3393 and 79-3399 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys,

Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murman, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Landwehr, Osterman.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Patton in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Patton, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2409**, **HB 2408** be passed.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2230** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2230," as follows:

"Substitute for HOUSE BILL NO. 2230

By Committee on Taxation

"AN ACT concerning property taxation; relating to exemptions, property owned by a redevelopment authority and located in a redevelopment district within a former federal enclave.";

And the substitute bill be passed.

(**Sub HB 2230** was thereupon introduced and read by title.)

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2418, AN ACT concerning health and healthcare; establishing an on-site state employee health clinic; making and concerning appropriations for the fiscal year ending June 30, 2018, for the department of administration, by Committee on Appropriations.

CHANGE OF CONFEREES

Speaker pro tem Schwab announced the appointment of Rep. Trimmer to replace Rep. Finney as a conferee on **SB 21**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **HB 2102** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

On motion of Rep. Vickrey, the House nonconcurrred in Senate amendments to **HB 2067** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Vickrey, Dove and Neighbor as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **HB 2095** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 12:30 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2041** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2053** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2054** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2085** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2092** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2111** and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2128** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2153** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2158** and has

appointed Senators Bowers, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2170** and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2174** and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2301** and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2313** and has appointed Senators LaTurner, Estes and Faust-Goudeau as conferees on the part of the Senate.

Also, the Senate adopts the Conference Committee report on **S Sub for Sub HB 2052**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Williams, the House concurred in Senate amendments to **HB 2006**, AN ACT concerning counties; relating to the expansion of the board of county commissioners; amending K.S.A. 2016 Supp. 19-203 and repealing the existing section.

Call of the House was demanded.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard.

On motion of Rep. Hawkins, the House concurred in Senate amendments to **S Sub for HB 2027**, AN ACT concerning the healing arts; relating to anatomic pathology billing; institutional licenses; licensee reporting; amending K.S.A. 2016 Supp. 65-2837, 65-2895 and 65-2898 and repealing the existing sections.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Blex.

Present but not voting: None.

Absent or not voting: Ballard.

On motion of Rep. Vickrey, the House concurred in Senate amendments to **HB 2043**, AN ACT concerning insurance; relating to financial examination; requirements; amending K.S.A. 40-2912 and K.S.A. 2016 Supp. 12-2620 and 44-584 and repealing the existing sections.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard.

On motion of Rep. Hawkins, the House concurred in Senate amendments to **S Sub for HB 2055**, AN ACT concerning the state board of pharmacy; relating to powers, duties and functions thereof; biological products; amending K.S.A. 65-669, 65-1633, 65-1635, 65-1648, 65-1660 and 65-7007 and K.S.A. 2016 Supp. 65-1626, 65-1627, 65-1636, 65-1637, 65-1642, 65-1643, 65-1645, 65-1655, 65-1663, 65-1669, 65-1676, 65-2837a and 65-4202 and repealing the existing sections; also repealing K.S.A. 2016

Supp. 65-1637b and 65-1651a.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Wheeler.

Present but not voting: None.

Absent or not voting: Ballard.

On motion of Rep. Williams, the House concurred in Senate amendments to **HB 2094**, AN ACT concerning municipalities; concerning contracts; dealing with the interlocal cooperation act; amending K.S.A. 12-2908 and K.S.A. 2016 Supp. 12-2904 and repealing the existing sections.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ballard.

On motion of Rep. Williams, the House concurred in Senate amendments to **HB 2137**, AN ACT concerning cities and counties; dealing with certain volunteer activities of governing body members; amending K.S.A. 19-205 and repealing the existing

section.

On roll call, the vote was: Yeas 111; Nays 13; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Humphries, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Corbet, DeGraaf, Esau, Garber, Houser, Huebert, Jacobs, Jennings, K. Jones, Mastroni, R. Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Ballard.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2419, AN ACT concerning state finances; transfers to and expenditures from the budget stabilization fund; amending K.S.A. 2016 Supp. 75-6706 and repealing the existing section, by Committee on Appropriations.

On motion of Rep. Hineman, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 13** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 13," as follows:

"House Substitute for SENATE BILL NO. 13

By Committee on Commerce, Labor and Economic Development

"AN ACT relating to the sale and consumption of alcoholic beverages; amending K.S.A. 41-2706 and 41-2726 and K.S.A. 2016 Supp. 41-102, 41-307, 41-308, 41-2701, 41-2702, 41-2704, 41-2708 and 41-2722 and repealing the existing sections; also

repealing K.S.A. 41-103.";

And the substitute bill be passed.

(H Sub for SB 13 was thereupon introduced and read by title.)

REPORT ON ENGROSSED BILLS

HB 2025, HB 2140, HB 2235, HB 2407 reported correctly engrossed April 3, 2017.

REPORT ON REENGROSSED BILLS

HB 2030 reported correctly reengrossed April 3, 2017.

REPORT ON ENROLLED BILLS

HB 2110, HB 2136, HB 2191, HB 2217, HB 2219, HB 2312, HB 2329 reported correctly enrolled, properly signed and presented to the Governor on April 4, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6026 reported correctly enrolled and properly signed on April 4, 2017.

On motion of Rep. Phillips, the House adjourned until 10:00 a.m., Wednesday, April 5, 2017.

Journal of the House

FIFTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, April 5, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 125 members present.

Prayer by Chaplain Brubaker:

Creator God,
 We have noticed in the last few weeks
 how Spring has struggled to establish itself,
 warm and sunny one week,
 the last few days gloomy with dark skies and rain.
 Perhaps the same could be said about inside the chamber...
 one day decisions have been made that brighten their hopes,
 the next day, decisions made that cause some to feel
 as gray and gloomy as the sky.
 Today, Lord, I ask for discernment and clarity
 as they judge anew their adherence to
 principle, conviction, and commitment.
 Give them the ability to listen to one another and
 work cooperatively to solve the important issue of the day.
 Heal that which is broken—
 restore relationships that are separated by party lines—
 surprise the cynical—humble the exalted—
 and awaken the exhausted.
 In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Sloan.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Claeys are spread upon the Journal:

It is an honor to stand here today with the principal, coaches and students from my alma mater, Sacred Heart High School in Salina.

With me at the well this morning are the members of the Knights Boys Basketball team.

Head Coach, Pat Martin; Assistant, Ashton Richards; Seniors, Quinn Riordan, Stratton Brown, Jake Brull and Zach Gaskill and starters, Trace Leners and Caleb Jordan. Team members are also seated in the East gallery.

The Sacred Heart High School Boys Basketball team completed a memorable season last month, with a 59-51 victory over St. John, in the Class 2A State Championship game at Bramlage Coliseum, capping off a 25 game winning streak, the second time in two seasons the Knights ended the season with a 25-1 record. A tremendous accomplishment for a great group of young men.

Colleagues, I present to you the 2017 Class 2A Boys Basketball Kansas State Champion, Sacred Heart Knights.

Rep. Claeys presented the Sacred Heart team and coaches with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Deere are spread upon the Journal:

I am excited for the opportunity to stand before you today to recognize two remarkable young women who are students from Lansing High School. Sisters Marie and Mykala Caraccilo are the recent winners of a national competition sponsored by DECA and Herff Jones!

Twenty teams from all over the country participated with the goal of increasing yearbook sales by creating a four-tier marketing plan. Marie and Mykala worked with their yearbook and DECA advisors to research sales history and buying patterns, create an interactive marketing plan, and conduct surveys of students and parents.

They entered the contest by submitting a 10-minute video detailing their project. Herff Jones executives chose the top three teams, flew them to Florida, where each team gave a 30-minute presentation of their project to a group of 25 corporate marketing executives from Herff Jones.

These executives were very impressed with Marie and Mykala's work, praised them, and encouraged them to continue working in the marketing field after high school. A week later, it was announced that the girls won 1st place in the competition and also won \$5,000 for travel to the International Career Development Conference in Anaheim, California later this month, where they will receive their award in front of approximately 18,000 students from the United States and Canada!

This is the 1st time in Kansas history for a team to compete and win this contest! This competition gave these young women a chance to practice real world skills in marketing, advertising, research, project development, and much more through a partnership with the LHS DECA and yearbook programs.

I see a very bright future ahead for Marie and Mykala!

I want to introduce everyone standing before you: DECA Sponsors, Dustin Myers and Kelsey Rook; Yearbook Sponsor, Heather Waters; LHS Principal, Steve Dike; Lansing Superintendent, Dr. Darrel Stufflebeam; Marie and Mykala's parents, Edward and Tracy Caraccilo; last, but not least, Marie and Mykala Caraccilo.

Please join me in presenting them with framed certificates from the Kansas House of Representatives and in congratulating them on this wonderful achievement!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2420, AN ACT concerning taxation; relating to income tax, determination of Kansas adjusted gross income, rates, itemized deductions; sales and compensating use tax, rates, food and food ingredients; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117, 79-32,120, 79-32,138, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2418**, **HB 2419**.

Federal and State Affairs: **HB 2417**.

MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 96**, requests a conference and has appointed Senators Tyson, Kerschen and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2067** and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2095** and has appointed Senators Petersen, Doll and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2102** and has appointed Senators Bowers, Fitzgerald and Faust-Goudeau as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 96**.

Speaker Ryckman thereupon appointed Reps. Johnson, Phillips and Sawyer as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Judd-Jenkins, **HR 6028**, as follows, was introduced and adopted:

By Representative Judd-Jenkins

HR 6028—A RESOLUTION recognizing the Etzanoa Conservancy for its work to uncover the history of the great Native American settlement of Etzanoa.

A RESOLUTION recognizing the Etzanoa Conservancy for its work to uncover the history of the great Native American settlement of Etzanoa.

WHEREAS, In 1601, during an expedition from New Mexico into Texas, Oklahoma and Kansas, Don Juan de Oñate, the Spanish conquistador who founded New Mexico,

discovered what he called "the Great Settlement," which was known to the village's inhabitants as "Etzanao"; and

WHEREAS, Etzanao is also the likely location of a battle in 1601 between de Oñate's forces and a band of Wichita tribe ancestors, the Escanjaques as they were called by the Spanish; and

WHEREAS, It is accepted that the inhabitants of Etzanao are the ancestors of the modern-day Wichita people of the Wichita and Affiliated Tribes; and

WHEREAS, The exact location of Etzanao was unknown for many years, and several places, including Arkansas City, Kansas, were considered possible locations for the settlement; and

WHEREAS, With the revelation of new research and archaeological evidence, Dr. Donald Blakeslee, a Wichita State University Professor of Anthropology, became convinced that the east side of Arkansas City along the Walnut River was the location of Etzanao; and

WHEREAS, In June, 2015, Dr. Blakeslee organized a research team of archaeologists, students and volunteers to conduct field work on the Etzanao site and, as a result of this expedition, Dr. Blakeslee was able to confirm the site as the location of the settlement of Etzanao; and

WHEREAS, The archaeological site of Etzanao has the potential, based on the description of the settlement by de Oñate and artifacts found at the site, to be one of the largest Native American settlements to have existed in the United States; and

WHEREAS, This research would not have been possible without the contributions of Dr. Blakeslee, the V. J. Wilkins Foundation, the City of Arkansas City and the Arkansas City Historical Society; and

WHEREAS, Dr. Blakeslee believes that, based on the evidence, the Etzanao archaeological site is a great candidate for being designated as both a World Heritage Site by UNESCO and a National Historic Landmark: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize the Etzanao Conservancy for its work to uncover the history of the great settlement of Etzanao and the many individuals who have contributed time and finances to better understand this American treasure; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 21 enrolled copies of this resolution to Representative Judd-Jenkins.

There being no objection the following remarks of Rep. Judd-Jenkins are spread upon the Journal:

In a renewed quest to find Quivira, the city of gold, Spanish conquistador Don Juan de Onate lead an army expedition in 1601, north and east from New Mexico into Texas, Oklahoma and Kansas. This founder of the colony of New Mexico discovered what he called the "Great Settlement," called "ETZANOAO" by the natives. The journals of this expedition comprise a large volume of materials, including a map drawn by Spanish expedition member Enrique Martinez. An Etzanao native enslaved by the expedition drew an additional map. The extensive transcripts of interrogations of the army of Spanish explorers detailing their visit to ETZANOAO are preserved in Seville, Spain. The exact modern day location of ETZANOAO had been debated for years among archaeologists.

In the 1870's the early residents of Arkansas City found many Native American artifacts. Large mounds of river mussel shells, rock Petroglyphs, earth pits full of bones, broken pots, and tools. Citizens of Arkansas City have always known this fork of the Arkansas and Walnut Rivers was someplace special long before settlers had ever arrived.

Prior to the new bypass being built in the 1990's, a Kansas State Historical Society survey discovered artifacts dating from 600-1800 AD, determined through carbon dating. There have been numerous artifacts from other periods discovered in Cowley County and the surrounding area that date back at least 10,000 years.

Wichita State University archeology professor, Dr. Don Blakeslee, organized a research team of archaeologists, students and volunteers in the Arkansas City area in June 2015. The team included a very sophisticated Mobile Archeology Lab and highly regarded archaeology professionals using noninvasive sensing equipment to begin the detailed research needed to prove that Arkansas City is the exact location of ETZANOA.

Based on the evidence, the ETZANOA archaeological site of a 5 mile long settlement of an estimated 20,000 ancestors of the Wichita tribe, thrived from about 1425 to the early 1700's. Archaeologists agree that a city of this size would be the second-largest prehistoric Native American site ever discovered in the U.S. and Canada, making it a possible candidate for being designated as both a World Heritage Site by UNESCO and a National Historic Landmark.

With the generous funding of the V.J. Wilkins Foundation, the Archaeology Channel spent two weeks filming the 2015 archaeological studies conducted by Dr. Blakeslee and his teams, with cooperation and support from the city of Arkansas City, and the Arkansas City Historical Society. Today in the Statehouse Visitors Center Auditorium you may view this fascinating 28-minute film titled "QUIVIRA: CONQUISTADORS ON THE PLAINS" describing the work and discovery of the true ETZANOA on the banks of the Walnut River in south central Kansas, just above the Oklahoma border.

Rep. Judd-Jenkins introduced the following guests to the House that were an integral in the discovery, preservation and promotion of ETZANOA: Dr. Don Blakeslee, Wichita University. Professor of Archaeology; Dr. Robert Hoard, Kansas Sate archaeologist; Otis Morrow, V.J. Wilkins Foundation Trustee; Karen Zeller, V.J. Wilkins Foundation Trustee; Otis Morrow, V.J. Wilkins Foundation Trustee; Nick Hernandez, Arkansas City Manager; Jay Warren, Arkansas City Councilman and former Mayor; Hap McLeod, ETZANOA Conservancy President, archaeological site land owner; Adam Ziegler, Lawrence Free State High School, and discoverer of the first Spanish Artifact confirming the site of the ETZANOA battle; Jann Ziegler, ETZANOA Conservancy member and grandmother of Adam Ziegler; Carol House, ETZANOA Conservancy member and archaeological site land owner; Jason Smith, ETZANOA Conservancy member and Foss Farrar, ETZANOA Conservancy member, archaeological site land owner and freelance news reporter.

I welcome you to celebrate this great American treasure recently discovered in the great state of Kansas.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2408, AN ACT concerning the department of revenue; relating to persons with access to federal tax information; fingerprinting, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schroeder.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

HB 2409, AN ACT concerning state contracts; relating to contract requirements; limitations on procurement, investment or other policy, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 9; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alcalá, Averkamp, Bishop, Carmichael, Finney, Highberger, Kuether, Miller, Ruiz.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **HB 2409**. The occupation of the Gaza Strip and the West Bank by the State of Israel is in its 50th year, and there is no end in sight. The government of Israel continues to build and expand settlements in the occupied West Bank, in defiance of our own government and in violation of international law. Despite that, I do not oppose the section of this bill that prevents our state from boycotting the State of Israel. I do oppose the section that requires state contractors to provide a certificate of political correctness, because I think that puts us on a very slippery slope and may well be unconstitutional. – DENNIS “BOOG” HIGHBERGER, JOHN ALCALA, GAIL FINNEY

MR. SPEAKER: I vote “aye” on **HB 2409**. Israel is a strong trade partner with Kansas, and any company openly boycotting Israel and its products, is perpetrating an act of economic warfare against a Kansas trade partner and ally. It is in our financial interest to continue our strong trade partnership with Israel, advocate for our ally, and defend the companies who have decided to make a financial investment in Kansas. I stand with Israel. – BILL SUTTON, JOHN RESMAN, LESLIE OSTERMAN, SUSAN HUMPHRIES, TREVOR JACOBS, ERIC L. SMITH, CHUCK WEBER, RANDY GARBER, LEO DELPERDANG, KEITH ESAU, RANDY POWELL

MR. SPEAKER: I vote “No” on **HB 2409**, not because I support a boycott of the Nation of Israel. Israel is a friend of our country and our state. Instead, I vote “No” on HB 2409 because it imposes an unnecessary regulatory burden on Kansas businesses. – JOHN CARMICHAEL

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2180** be adopted; on motion of Rep. Tarwater to amend **HB 2180**, the motion did not prevail.

Also, on motion of Rep. Weber to re-refer **HB 2180** to Committee on Appropriations the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2279** be adopted; on motion of Rep. Burroughs to amend **HB 2279**, the motion did not prevail; and the bill be passed as amended.

Committee report to **SB 23** be adopted; on motion of Rep. Carmichael, **SB 23** be amended as amended by House Committee on page 2, following line 40, by inserting:

"New Sec. 4. The securities commissioner and any attorney licensed to practice law in the state of Kansas who works in the office of the securities commissioner of Kansas shall be prohibited from having any outside additional professional employment.";

And by renumbering sections accordingly

Also, on motion of Rep. Miller to amend **SB 23**, the motion did not prevail; and the bill be passed as amended.

Committee report to recommending a Substitute Bill to **HB 2230** be adopted; and the substitute bill be passed.

MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **H Sub for SB 70**, requests a conference and has appointed Senators LaTurner, Estes and Faust-Goudeau as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 83**, requests a conference and has appointed Senators LaTurner, Estes and Faust-Goudeau as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 70**.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 83**.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Osterman to replace Rep. Houser on Committee on Federal and State Affairs on April 6, 2017.

On motion of Rep. Hineman, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE GOVERNOR

HB 2066, HB 2164 approved on April 5, 2017.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Alford, the House concurred in Senate amendments to **S Sub for HB 2304**, AN ACT concerning child care facilities; relating to infant sleeping equipment and sleeping areas; individuals maintaining or residing, working or volunteering in such facilities; background checks; amending K.S.A. 2016 Supp. 65-508 and 65-516 and repealing the existing sections.

Call of the House was demanded.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere,

Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Esau, Garber, Jacobs, K. Jones, R. Powell.

Present but not voting: None.

Absent or not voting: Ruiz.

On motion of Rep. Osterman, the House concurred in Senate amendments to **S Sub for HB 2174**, AN ACT concerning motor vehicles; relating to registration, decals for persons with disabilities; distinctive license plates; decals for certain military medals or badges; amending K.S.A. 8-1,126 and K.S.A. 2016 Supp. 8-1,125 and 8-1,156 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ruiz.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2052** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 14, after the second comma by inserting "and"; also in line 14, by striking "and June 30, 2025,";

On page 7, following line 4, by inserting:

"Community aid (039-00-1000-3004).....\$40,283,925";

Also on page 7, by striking all in lines 41 through 43;

On page 8, by striking all in lines 1 through 11;

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

On page 11, in line 41, by striking "\$300,000" and inserting "\$2,109,429";

On page 18, following line 29, by inserting:

"Sec. 39. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary of corrections, from moneys appropriated from the state general fund or any special revenue fund or funds for the department of corrections for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary of corrections from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Leavenworth county, Kansas, subject to the provisions of this section:

TRACT I

The Fractional East 1/2 of the Northeast 1/4 of Section 30, Township 9 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas, LESS any part thereof taken or used for road purposes.

ALSO LESS

Beginning at a point in the center of the North Line of the Northeast Quarter of Section 30, Township 9 South, Range 23 East of the 6th P.M., in Leavenworth County, Kansas; thence East 447 feet; thence South 500 feet; thence West 121 feet; thence South 820 feet; thence West 325 feet; thence North 1320 feet to the place of beginning.

ALSO LESS

Beginning from the northeast corner of Section 30, Township 9, Range 22 East, thence due South a distance of 750 feet, thence due West a distance of 750 feet, thence North a distance of 750 feet, and thence East 750 feet to the point of beginning, said parcel of land leased to the City of Lansing, Kansas, for park purposes pursuant to Amended Lease Agreement recorded in Book 870, Page 1295.

AND

TRACT II

Commencing at the Southwest corner of the Northeast Quarter of Section 30, Township 9 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas; thence North 60 rods; thence East 80 rods; thence South 60 rods; thence West 80 rods to the place of beginning, LESS any part thereof taken or used for road purposes.

(b) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary of corrections without having first advised and consulted with the joint committee on state building construction.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property

described in subsection (a) shall not require approval of the state finance council.

(d) When the sale is made, the proceeds thereof shall be deposited in the state treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(e) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(f) In the event that the secretary of corrections determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 40. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Neosho county, Kansas, subject to the provisions of this section:

The South Half of the Southeast Quarter (S/2 SE/4) of Section Nineteen (19), Township Twenty-seven (27) South, Range Eighteen (18) East of the 6th P. M., excepting therefrom five (5) tracts of land described as follows:

a. The North Ten (10) acres of the Southeast Quarter of this Southeast Quarter (SE/4 SE/4) of said section Nineteen (19);

b. Beginning at a point on Plummer Avenue, 330 feet south of the northeast corner of the South Half of the Southeast Quarter (S/2 SE/4) of said Section Nineteen (19), thence west parallel with the north line of said eighty, 1320 feet; thence south 330 feet on a line parallel with the east line of said eighty; thence east 1320 feet on a line parallel with the north line of said eighty; thence north along said east line to the point of beginning, containing 10 acres;

c. Beginning at a point 495 feet north of the southeast corner of said Section Nineteen (19), thence north 165 feet to the southeast corner of 10-acre tract previously sold to Guy Umbarger; thence west along the south line of said Umbarger 10-acre tract, 792 feet; thence south on a line parallel to the east line, 165 feet; thence east on a line parallel to said Umbarger tract to point of beginning, containing approximately 3 acres;

d. Beginning at the southeast corner of said Section Nineteen (19), thence west along the south line of said section 690 feet; thence northerly 445 feet; thence easterly 690 feet to a point on the east line of said section, 445 feet north of the southeast corner of said section; thence south along said east line 445 feet to the point of beginning. The above includes 30 feet of road right-of-way along the south side used for Seventh Street and 30 feet of road right-of-way along the east side used for Plummer Avenue. Including the road rights-of-way, the above includes 7.05 acres, more or less; and

e. Beginning at a point 30 feet north of and 690 feet west of the southeast corner of the Southeast Quarter (SE/4) of said Section Nineteen (19); thence west along right-of-way line of present road, 1950 feet, more or less, to the west line of said Southeast

Quarter (SE/4); thence north along the west line of said Southeast Quarter (SE/4), 10 feet; thence east parallel to and 10 feet north of the present right-of-way, 1950 feet, more or less, to a point 690 feet west of and 40 feet north of the southeast corner of said Southeast Quarter (SE/4); thence south 10 feet to the point of beginning, containing .44 acres, more or less, condemned for highway purposes.

(b) During fiscal year 2017, the real property described in subsection (a) shall be sold or conveyed to the Neosho memorial regional medical center, at the price agreed upon between the parties.

(c) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(d) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property described in subsection (a) shall not require approval of the state finance council.

(e) When the sale is made, the proceeds thereof shall be deposited in the state treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(f) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(g) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

(h) On the effective date of this act, the provisions of section 104(d) of chapter 12 of the 2016 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 41. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Sedgwick county, Kansas, subject to the provisions of this section:

Lot 5, except the North 2 feet, all of Lot 7, and the North 4 feet of Lot 9, Palisade Avenue, Fair Grounds addition to the City of Wichita, Sedgwick County, Kansas; commonly known as 2105 Palisade, Wichita, Kansas.

(b) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property described in subsection (a) shall not require approval of the state finance council.

(d) When the sale is made, the proceeds thereof shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(e) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(f) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 42. On the effective date of this act, the provisions of section 50 of chapter 111 of the 2016 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect. "

On page 28, in line 37, by striking "June 1" and inserting "or before June 27";

On page 29, in line 11, by striking "June 30, 2018,;" in line 13, by striking "¹/₇" and inserting "¹/₆"; in line 27, after the fourth comma by inserting "and"; also in line 27, by striking "and June 30, 2025,;" in line 28, by striking "¹/₇" and inserting "¹/₆";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the fifth comma by inserting "and"; also in line 3, by striking "and June 30, 2025,;"

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

RICK BILLINGER

LAURA KELLY

Conferees on part of Senate

TROY WAYMASTER

ERIN DAVIS

KATHY WOLFE MOORE

Conferees on part of House

On motion of Rep. Waymaster to adopt the conference committee report on **S Sub for Sub HB 2052**, Rep. Davis offered a substitute motion to not adopt the conference committee report, and that a new conference committee be appointed.

The substitute motion of Rep. Davis prevailed and Speaker pro tem Schwab thereupon appointed Reps. Waymaster, E. Davis and Wolfe Moore as second conferees on the part of the House.

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SB 20**, and requests return of the bill.

The Senate concurs in House amendments to **H Sub for SB 51**, and requests return of the bill.

The Senate concurs in House amendments to **SB 65**, and requests return of the bill.

The Senate adopts the Conference Committee report on **HB 2080**.

REPORT ON ENGROSSED BILLS

HB 2043, HB 2094, HB 2137 reported correctly engrossed April 4, 2017.

S Sub for HB 2055 reported correctly engrossed April 5, 2017.

REPORT ON REENGROSSED BILLS

HB 2006 reported correctly reengrossed April 4, 2017

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, April 6, 2017.

Journal of the House

FIFTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, April 6, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Schreiber was excused on excused absence by the Speaker.

Present later: Rep. Schreiber.

Excused later: Reps. Clayton and Tarwater.

Prayer by guest chaplain, the Rev. Jimmy Holbrook, pastor, Overland Park Community Church, and guest of Rep. Rafie:

Heavenly Father,

We thank you for this day. We thank you for your love and mercy that is new every morning. We realize that we do not deserve your grace, but we desire it Lord! I thank you Lord for ordaining government and giving us leaders to serve. Please look down upon these men and women today who sit in these positions of leadership. Grant them your wisdom Lord to make decisions that are just and right for the state of Kansas. I pray Lord that you would help them unify over things that benefit the people of Kansas. I pray that you would give them the courage and wisdom to know when to stand on what would be harmful for Kansans. Their job is not easy Lord. They face critics from all sides. Keep them encouraged and help them through this day. I ask all these things in the name of Christ.

Amen

The Pledge of Allegiance was led by Rep. Ellis.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Ellis are spread upon the Journal:

At this time, I would like to recognize an organization that has done so much for their community. They raise money to paint murals on city buildings. They help coordinate the Perry Pride Days in September, called the Fall Festival. They adopt children and

families at Christmas to provide Christmas gifts. They provide funeral dinners, meals for senior citizens, and even bought a new stove for their community building. They commissioned an artist to paint inside the Perry Post Office with a patriotic theme. They are currently raising money for basketball goals for kids of their community. This year they received the "Community of Excellence" award by the Kansas Pride Program through K-State. They improve the lives of citizens and the image of the community. They illustrate what I believe Kansas is all about: helping your neighbors and your community with time, talent, and money.

Today I award and recognize the Perry Pride Organization with congratulations on a job well done.

Rep. Ellis presented his guests with a framed House certificate.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2420**.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2026**.

The Senate adopts the Conference Committee report on **HB 2095**.

The Senate adopts the Conference Committee report on **HB 2128**.

The Senate adopts the Conference Committee report on **HB 2170**.

The Senate adopts the Conference Committee report on **HB 2213**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2096**, and has appointed Senators Petersen, Doll and Pettey as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Carlin, **HR 6029**, by Reps. Carlin, Alcala, Alford, Amberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carmichael, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, Curtis, Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, Smith, Stogsdill, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Wheeler, Whipple, Whitmer, Williams, Wilson, Winn and Wolfe Moore, as follows, was introduced and adopted:

HR 6029—A RESOLUTION a resolution recognizing April as the Month of the Military Child.

WHEREAS, There are approximately 1.9 million American military children who

range in age from newborn to 18 years old, including 1.3 million military children who are school-aged; and

WHEREAS, There are 765,000 military children whose parents are on active duty, and approximately 225,000 military children have a parent who is currently deployed; and

WHEREAS, Military children face unique challenges and make daily sacrifices for their military parents' service to their country; and

WHEREAS, Despite the burdens they carry, military children show incredible strength, character and resolve in their abilities to adapt and thrive in what are often difficult circumstances; and

WHEREAS, Military children have incredible opportunities to see the world, learn about different cultures first-hand, and meet people of various races, nationalities and religions; and

WHEREAS, The United States military strives to provide the best educational facilities and instructors for its military children; and

WHEREAS, Military children embody the community ideals of patriotism, loyalty, responsibility and courage: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize April as the Month of the Military Child and commend the military children of Kansas for the sacrifices they make, the challenges they overcome and their contributions to the State of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 20 enrolled copies of this resolution to Representative Carlin.

There being no objection, the following remarks of Rep. Carlin are spread upon the Journal:

The Army places a special emphasis on the children with high standards for the care of the children by providing excellent educators and facilities on bases to support the soldier families.

The Army places a special emphasis on the children through high standards for academics in education. In April 2009 I came before this body to introduce to you the Military Child Interstate Education Compact in recognition of the special situations facing children of the military.

The Army places a special emphasis on the health of military children by providing recreational facilities and activities which provide an opportunity to bring families and friends together, such as ball fields and recreation centers and Ft. Riley's Apple Days.

Today when I asked my pages if any of them were children of military parents, two of my five pages said yes. I would like to introduce Nevaeh Buffington and Ilimah Lewis from Manhattan.

I appreciate that 100% of this body supported recognizing April as the Month of the Military Child. Through words and actions today we recognize the contributions and the significant impact the Army has on its children.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2180, AN ACT concerning health maintenance organizations; relating to privilege fees; rate; disposition of moneys; extending the medical assistance fee fund; establishing the community mental health center improvement fund; amending K.S.A.

2016 Supp. 40-3213 and 40-3236 and repealing the existing sections, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 103; Nays 21; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Corbet, DeGraaf, Dove, Esau, Garber, Hawkins, Helgerson, Highland, Humphries, K. Jones, Landwehr, Osterman, R. Powell, Resman, Schwab, Sutton, Tarwater, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Schreiber.

The bill passed, as amended.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2180**. I believe we should restore the 4% cuts to our health providers, but this is not the answer. When our insurance providers (Aetna, BCBS Kansas and BCBS KC) drop their HMO insurance package more than 100,000 Kansans will lose their Primary care physician and be placed on the preferred provider network and will see their cost for medical insurance increase by 20-25%. When we raised privilege fees from 1% to 3.3% in 2015, the legislature promised to lower it to 2% in Jan. 2018. Instead we are raising it to 5.7%. This is the wrong way to fix the problem. – RANDY GARBER

MR. SPEAKER: I vote no on **HB 2180**. The commercial HMO insurance companies receive no benefit from the Medicaid system. Yet they pay an HMO tax to pull down dollars from the Federal Government and the revenue is used to offset Medicaid Expenses. The \$6 million dollar cost to them is a totally unfair tax. Hospitals on the other hand receive revenue from Medicaid, but refuse to increase their Hospital Assessment fee to pull down Federal dollars for the Medicaid system. This is no way consistent with our taxing system. I urge the body to vote no on **HB 2180**. – DANIEL R. HAWKINS, KEITH ESAU, BLAKE CARPENTER, RANDY POWELL, KEVIN JONES, JOHN WHITMER

Sub HB 2230, AN ACT concerning property taxation; relating to exemptions, property owned by a redevelopment authority and located in a redevelopment district within a former federal enclave, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Schreiber.

The substitute bill passed.

HB 2279, AN ACT concerning courts; relating to disposition of failure to comply with a traffic citation reinstatement fees; judicial branch nonjudicial salary adjustment fund; amending K.S.A. 2016 Supp. 8-2110 and 20-1a15 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 72; Nays 52; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Barker, Becker, Blex, Brim, Campbell, Carmichael, Claeys, Clark, Concannon, Cox, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Garber, Gartner, Hawkins, Hineman, Hodge, Hoffman, Huebert, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mastroni, Miller, Murnan, Neighbor, Orr, F. Patton, Phillips, Pittman, Proehl, Rafie, Ralph, Resman, Ryckman, Schroeder, Schwab, Sloan, Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Waymaster, Weber, C., Weigel, Wheeler, K. Williams.

Nays: Averkamp, Ballard, Bishop, Burroughs, Carlin, B. Carpenter, Clayton, Corbet, Crum, S., Curtis, DeGraaf, Esau, Finney, Frownfelter, Good, Helgerson, Henderson, Hibbard, Highberger, Highland, Holscher, Houser, Humphries, Jacobs, K. Jones, Kuether, Lusk, Lusker, Mason, Ohaebosim, Osterman, Ousley, Parker, Phelps, R. Powell, Rahjes, Rooker, Ruiz, Sawyer, Seiwert, Smith, A., Stogsdill, Terrell, Trimmer, Vickrey, Victors, Ward, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Schreiber.

The bill passed, as amended.

EXPLANATION OF VOTE

MR SPEAKER: I vote "Yes" on **HB 2279**. Drivers' license reinstatement fees are a terrible way to fund non-judicial salaries, but our court clerks and other non-judicial employees are receiving below market wages, in some cases now qualify for public assistance, and often must work two jobs to make ends meet. So, to those who vote "No" today, I suggest the next time you are in your courthouse, look those constituents in the eye and apologize for your vote here today. I therefore vote "Yes" on HB 2279. – JOHN CARMICHAEL

SB 23, AN ACT concerning certain state officers and employees; relating to the attorney general, the state bank commissioner, the secretary of labor, the commissioner of insurance and the securities commissioner; criminal investigations and prosecutions by the attorney general; creating the fraud and abuse criminal prosecution fund; establishing the office of the securities commissioner as a division under the jurisdiction of the commissioner of insurance; the Kansas uniform securities act; updating references to the federal securities act of 1933; amending K.S.A. 50-1013 and K.S.A. 2016 Supp. 9-2209, 17-12a302, 17-12a402, 17-12a508, 40-113, 44-5,122, 44-5,124, 44-719 and 75-6301 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Barker, Highland, Huebert, Jacobs, K. Jones, Kuether, Landwehr, Terrell, Ward.

Present but not voting: None.

Absent or not voting: Schreiber.

The bill passed, as amended.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Finch in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Finch, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **SB 13** be adopted; and **H Sub for SB 13** be passed.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, to advance **H Sub for SB 13** to Final Action on Bills and Concurrent Resolutions, the motion did not prevail.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 202**, as amended by Senate Committee of the Whole, be passed.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **S Sub for Sub HB 2052** and has appointed Senators McGinn, Billinger and Kelly as second conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2096** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

On motion of Rep. Proehl the conference committee report on **HB 2096** to agree to disagree, was adopted.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as second conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Whitmer moved the House reconsider the motion to advance **H Sub for SB 13** to Emergency Final Action. (See HJ page 626.) The motion prevailed.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **H Sub for SB 13** was advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 13, AN ACT relating to the sale and consumption of alcoholic beverages; amending K.S.A. 41-2706 and 41-2726 and K.S.A. 2016 Supp. 41-102, 41-307, 41-308, 41-2701, 41-2702, 41-2704, 41-2708 and 41-2722 and repealing the existing sections; also repealing K.S.A. 41-103, was considered on final action.

Call of the House was demanded.

On roll call, the vote was: Yeas 80; Nays 45; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Aurand, Awerkamp, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, B. Carpenter, Claeys, Clark, Clayton, Cox, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finney, Frownfelter, Gallagher, Gartner, Good, Hawkins, Hineman, Holscher, Huebert, Humphries, Jennings, Johnson, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lusk, Lusker, Markley, Mason, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Rafie, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Trimmer, Ward, Weigel, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Alford, Amberger, Baker, Barker, Blex, Carlin, Carmichael, Concannon, Corbet, Crum, S., Curtis, DeGraaf, Ellis, Finch, Francis, Garber, Helgerson, Henderson, Hibbard, Highberger, Highland, Hodge, Hoffman, Houser, Jacobs, K. Jones, Judd-Jenkins, Kuether, Lewis, Mastroni, Miller, Orr, F. Patton, R. Powell, Rahjes, Ralph, Schroeder, Smith, A., Thimesch, Thompson, Vickrey, Victors, Waymaster, Weber, C., Wheeler.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **H Sub for SB 13**. Kansas is driven by small mom and pop businesses. It just seems wrong to ask us to change the law so that big corporations can add just one more product to their inventory at the expense to the 700 plus liquor stores in Kansas. – KEN CORBET, KENT THOMPSON, RONALD L. HIGHLAND, MIKE HOUSER, JOHN CARMICHAEL

MR. SPEAKER: After speaking with my local small businesses, I vote yes on **H Sub for SB 13**. I vote yes reluctantly, however, as I and those small businesses both share the fear that the mutual agreement by all parties to not bring this before the legislature again for 10 years may not be upheld. – STAN FROWN FELTER, TOM BURROUGHS

MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 23**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 23**.

Speaker pro tem Schwab thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 46** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 9 through 32;

On page 2, by striking all in lines 1 through 25;

On page 8, in line 14, by striking "82a-701,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "82a-701,";

And your committee on conference recommends the adoption of this report.

KYLE HOFFMAN

KENT THOMPSON

SYDNEY CARLIN

Conferees on part of House

DAN KERSCHEN

BUD ESTES

MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Hoffman, the conference committee report on **SB 46** was adopted.

On roll call, the vote was: Yeas 114; Nays 10; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, DeGraaf, Garber, Jacobs, K. Jones, Landwehr, R.

Powell, Sutton, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 89** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 11, following line 8, by inserting:

"New Sec. 4. On July 1, 2017, the director of accounts and reports shall transfer all moneys in the repossessed certificates of title fee fund to the division of vehicles operating fund. On July 1, 2017, all liabilities of the repossessed certificates of title fee fund are hereby transferred to and imposed on the division of vehicles operating fund, and the repossessed certificates of title fee fund is hereby abolished.

New Sec. 5. (a) Except as provided in subsection (c), a person whose driving privileges have been suspended pursuant to K.S.A. 8-2110(b)(1), and amendments thereto, may enter into an amnesty agreement with the county or district attorney pursuant to this section. Under the terms of the amnesty agreement, the chief judge of each judicial district may:

- (1) Recall any warrants directly related to the suspension;
- (2) waive reinstatement and collection fees directly related to the suspension; and
- (3) offer payment plans, to be administered by the county or district attorney, to persons who are unable to pay in full.

(b) Persons who are unable to pay due to hardship or lack of employment may enter into an additional agreement with the court to receive a credit against any fines imposed by performing community service or attending classes aimed at developing job skills and gaining employment. The court shall approve any classes and community service before the person will receive any credit towards fines. Once approved, the person shall receive a credit on the fine in an amount equal to \$5 for each full hour spent by the person in community service and \$8 for each full hour spent attending classes.

(c) The provisions of this section shall not apply to:

- (1) Any person whose driving privileges have been suspended by another court;
- (2) non-traffic warrants; or
- (3) persons whose driver's license has been suspended or revoked under the provisions of K.S.A. 8-262, 8-2,144, 8-1567, 8-1567a or 40-3104, and amendments thereto, or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

New Sec. 6. There is hereby established in the state treasury the seat belt safety fund which shall be administered by the secretary of transportation. All expenditures of moneys in the seat belt safety fund shall be used for the purpose of promotion and education of occupant protection among children, including, but not limited to, programs in schools in Kansas and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person or persons designated by the secretary of transportation. The secretary of transportation may accept all gifts, grants,

donations and bequests to the fund. The secretary of transportation shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the seat belt safety fund.

Sec. 7. K.S.A. 2016 Supp. 8-2504 is hereby amended to read as follows: 8-2504.

(a) (1) ~~Persons violating subsection (a)(1) of K.S.A. 8-2503(a)(1), and amendments thereto, shall be fined \$5 and no court costs and, from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A. 8-2503, and amendments thereto, shall be fined \$10 \$30 and no court costs; and~~

(2) ~~persons violating subsection (a)(2) of K.S.A. 8-2503(a)(2), and amendments thereto, shall be fined \$60 and no court costs.~~

(b) No court shall report violation of this act to the department of revenue.

(c) Evidence of failure of any person to use a safety belt shall not be admissible in any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(d) The provisions of this section shall be applicable and uniform throughout the state and no city, county, subdivision or local authority shall enact or enforce any law, ordinance, rule, regulation or resolution in conflict with, in addition to, or supplemental to, the provisions of this section.

Sec. 8. K.S.A. 2016 Supp. 12-4120 is hereby amended to read as follows: 12-4120.

(a) On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2016 Supp. 75-52,113, and amendments thereto.

(b) On and after July 1, 2013, the amount of \$2,500 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the human trafficking victim assistance fund established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

(c) On and after July 1, 2017, the amount of \$20 from each fine imposed for a violation of a city ordinance requiring the use of safety belts for those individuals required by K.S.A. 8-2503(a)(1), and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the seat belt safety fund established by section 6, and amendments thereto.

Sec. 9. K.S.A. 2016 Supp. 74-7336 is hereby amended to read as follows: 74-7336.

(a) Of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) ~~10.94%~~10.7% to the crime victims compensation fund;
- (2) ~~2.24%~~2.19% to the crime victims assistance fund;

- (3) ~~2.75%~~2.69% to the community alcoholism and intoxication programs fund;
- (4) ~~7.65%~~7.48% to the department of corrections alcohol and drug abuse treatment fund;
- (5) 0.16% to the boating fee fund;
- (6) 0.11% to the children's advocacy center fund;
- (7) ~~2.28%~~2.23% to the EMS revolving fund;
- (8) ~~2.28%~~2.23% to the trauma fund;
- (9) ~~2.28%~~2.23% to the traffic records enhancement fund;
- (10) ~~4.4%~~4.31% to the criminal justice information system line fund; ~~and~~
- (11) 2.2% to the seat belt safety fund; and
- (12) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses and victims of crime.";

Also on page 11, in line 9, by striking the second "and" and inserting a comma; in line 10, after "145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "violations, safety belts, distribution of revenues, persons with suspended drivers' licenses; establishing the seat belt safety fund;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "8-145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And your committee on conference recommends the adoption of this report.

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

On motion of Rep. Proehl to adopt the conference committee report, on **SB 89**, Rep Finch offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Proehl, Francis and Lusker as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2026** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2026 as follows:

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 35; following line 35, by inserting:

"Section 1. (a) Upon request by a participating healthcare provider under the Kansas medical assistance program, the secretary of health and environment shall provide accurate and uniform patient encounter data that complies with the federal health insurance portability and accountability act of 1996 and applicable federal and state statutory and regulatory requirements, including, but not limited to, the:

- (1) Managed care organization claim number;
- (2) patient medicaid identification number;
- (3) patient name;
- (4) type of claim;
- (5) amount billed by revenue code and procedure code;
- (6) managed care organization paid amount and paid date; and
- (7) hospital patient account number.

(b) Upon receiving a request for patient encounter data pursuant to subsection (a), the department of health and environment shall furnish to the participating healthcare provider all requested information within 60 calendar days after receiving the request for data. The department of health and environment may charge a reasonable fee for furnishing requested data, including only the cost of any computer services, including staff time required.

(c) (1) The secretary shall require any managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program to provide documentation to a healthcare provider when the managed care organization denies any portion of any claim for reimbursement submitted by the provider, including a specific explanation of the reasons for denial and utilization of remark codes, remittance advice and health insurance portability and accountability act of 1996 standard denial reasons.

(2) Each managed care organization shall offer quarterly in-person training on remark codes and health insurance portability and accountability act of 1996 standard denial reasons and any other denial reasons or remark codes specific to the managed care organization.

(d) The secretary shall require managed care organizations providing state medicaid or children's health insurance program services under the Kansas medical assistance program to offer quarterly in-person education regarding billing guidelines, reimbursement requirements and program policies and procedures utilizing a format approved by the secretary and incorporating information collected through semi-annual surveys of participating healthcare providers.

(e) The secretary shall develop uniform standards to be utilized by each managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program regarding:

- (1) A standardized enrollment form and a uniform process for credentialing and re-credentialing healthcare providers who have signed contracts or participation agreements with any such managed care organization;
- (2) procedures, requirements, periodic review and reporting of reductions in and limitations for prior authorization for healthcare services and prescriptions;
- (3) retrospective utilization review of re-admissions that complies with any applicable federal statutory or regulatory requirements for the medicaid program or the children's health insurance program, prohibiting such reviews for any recipient of medical assistance who is re-admitted with a related medical condition as an inpatient to

a hospital more than 15 days after the recipient patient's discharge;

(4) a grievance, appeal and state fair hearing process that complies with applicable federal and state statutory and regulatory procedure requirements, including any statutory remedies for timely resolution of grievances, appeals and state fair hearings, imposed upon managed care organizations providing state medicaid or children's health insurance program services; and

(5) requirements that each managed care organization, within 60 calendar days of receiving an appeal request, provide notice and resolve 100% of provider appeals, subject to remedies, including, but not limited to, liquidated damages if provider appeals are not resolved within the required time.

(f) The secretary shall procure the services of an independent auditor for the purpose of reviewing, at least once per calendar year, a random sample of all claims paid and denied by each managed care organization and each managed care organization's subcontractors.

(1) Each managed care organization and each managed care organization's subcontractors shall be required to pay any claim that the independent auditor determines to be incorrectly denied. Each managed care organization and each managed care organization's subcontractors may also be required to pay liquidated damages, as determined by the department of health and environment.

(2) Each managed care organization and each managed care organization's subcontractors shall be required to pay the cost of audits conducted under this subsection.

(3) The provisions of this subsection shall expire on January 1, 2020.

(g) The secretary shall require each managed care organization to pay 100% of the state-established per diem rate to nursing facilities for current medicaid-enrolled residents during any re-credentialing process caused by a change in ownership of the nursing facility.

(h) On and after the effective date of this section, a managed care organization providing state medicaid or children's health insurance program services under the Kansas medical assistance program shall not discriminate against any licensed pharmacy or pharmacist located within the geographic coverage area of the managed care organization that is willing to meet the conditions for participation established by the Kansas medical assistance program and to accept reasonable contract terms offered by the managed care organization.

(i) The secretary shall adopt rules and regulations as may be necessary to implement the provisions of this section prior to January 1, 2018.";

On page 3, in line 7, after "(1)" by inserting "On and after January 1, 2020,";

On page 6, in line 2, by striking all after "(g)"; by striking all in lines 3 through 8; in line 9, by striking "(h)"; in line 11, by striking "2019" and inserting "2020";

And your committee on conference recommends the adoption of this report.

VICKI SCHMIDT
BARBARA BOLLIER
LAURA KELLY

Conferees on part of Senate

DANIEL R. HAWKINS

SUSAN CONCANNON

JOHN WILSON

Conferees on part of House

On motion of Rep. Hawkins, the conference committee report on **S Sub for HB 2026** was adopted.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Garber, Jacobs, K. Jones, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2080** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 5, by inserting:

"Section 1. K.S.A. 2016 Supp. 8-1,134 is hereby amended to read as follows: 8-1,134. (a) Except as provided in subsection ~~(d)~~ (c): (1) Each motor vehicle, trailer or semitrailer owned or leased by any city, county, township, water district or school district of this state or by any agency or instrumentality of any city, county or township and used exclusively for governmental, water district or school district purposes and not for any private purposes, which is not otherwise exempt from registration; or (2) each truck tractor, trailer or semitrailer leased by a community college or technical college and used exclusively for a truck driver training program, which is not otherwise exempt from registration, shall be registered for a fee established by rules and regulations adopted by the secretary of revenue, except that such fee shall not exceed the actual cost of such registration. Such registration shall be permanent in nature and designed in such a manner as to remain with a vehicle for the duration of the life span of the vehicle, the duration of the lease or until the title is transferred to an owner who is not a city, county, township, water district, school district, community college or technical college.

(b) License plates issued for city, county, township, water district, school district, community college or technical college vehicles shall be distinctive and shall contain the words city, county, township, water district, school district, community college or technical college, as applicable and there shall be no year date thereon.

(c) Vehicles registered under this section which are used for utility purposes shall be issued license plates as prescribed by subsection (b), except that such license plates shall be issued for periods of five years, but shall be required to pay all license fees imposed pursuant to K.S.A. 8-143, and amendments thereto, as though such vehicles were registered annually. The secretary of revenue shall design decals to be affixed to such license plates containing the word utility and the date the registration is to expire.

(d) The secretary of revenue shall adopt rules and regulations necessary to carry out the provisions of this act.;

On page 2, in line 10, by striking "is" and inserting "and K.S.A. 2016 Supp. 8-1,134 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "rural"; also in line 1, after "to" by inserting "vehicle registration,"; in line 2, after "and" by inserting "K.S.A. 2016 Supp. 8-1,134"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

DAN KERSCHEN

BUD ESTES

MARCI FRANCISCO

Conferees on part of Senate

TOM SLOAN

KEN RAHJES

PONKA-WE VICTORS

Conferees on part of House

On motion of Rep. Sloan, the conference committee report on **HB 2080** was adopted.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, Barker, Garber, K. Jones, Landwehr, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2095** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, in line 11, by striking "and" and inserting "or";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2095** was adopted.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Clayton.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2158** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on

conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, following line 6, by inserting:

"Section 1. K.S.A. 2016 Supp. 25-213 is hereby amended to read as follows: 25-213. (a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

(b) The official primary election ballots shall have the following heading:

OFFICIAL PRIMARY ELECTION BALLOT

_____ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from _____ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator _____ district, representative _____ district, district judge _____ district, district magistrate judge _____ district, district attorney _____ judicial district, and member state board of education _____ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner _____ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed, shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary

election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on ~~such the~~ ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on ~~such the~~ county and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.

(f) A person who won the primary election as a result of the person's name being written in on the primary ballot shall have such person's name printed on the official general election ballot for national, state, county, township or municipal office, unless the person notifies, in writing, the secretary of state for national or state office or the county election office for all other offices within 10 days following the canvass of the primary election that the person does not want such person's name on the official general election ballot."

On page 11, following line 13, by inserting:

"Sec. 10. K.S.A. 25-4144 is hereby amended to read as follows: 25-4144. Not later than 10 days after becoming a candidate, every candidate shall appoint a treasurer or in lieu thereof shall appoint a candidate committee. The treasurer so appointed may be the candidate making such appointment. No candidate shall appoint more than one candidate committee to exist at the same time. If a candidate appoints a candidate committee, such candidate shall appoint a chairperson and a treasurer thereof, and the treasurer so appointed may be the candidate. No person who is registered as a lobbyist in accordance with K.S.A. 46-265, and amendments thereto, shall be eligible for appointment as treasurer for any candidate or candidate committee. The name ~~and~~ address and email address, which such email address shall be optional, of each treasurer and chairperson appointed under this section by a candidate for a state office shall be reported to the secretary of state by the candidate not later than 10 days after such appointment. The name ~~and~~ address and email address, which such email address shall

be optional, of each treasurer and chairperson appointed under this section by a candidate for a local office shall be reported to the county election officer by the candidate not later than 10 days after such appointment. The candidate for governor shall carry out the requirements and responsibilities of the candidate under the campaign finance act, for the pair of candidates for governor and lieutenant governor, unless another specific provision applies.

Sec. 11. K.S.A. 2016 Supp. 25-4145 is hereby amended to read as follows: 25-4145. (a) Each party committee and each political committee which anticipates receiving contributions or making expenditures shall appoint a chairperson and a treasurer. The chairperson of each party committee and each political committee which anticipates receiving contributions or making expenditures for a candidate for state office shall make a statement of organization and file it with the secretary of state not later than 10 days after establishment of such committee. The chairperson of each political committee which anticipates receiving contributions or making expenditures for any candidate for local office, shall make a statement of organization and file it with the county election officer not later than 10 days after establishment of such committee.

(b) Every statement of organization shall include:

(1) The name and address of the committee. The name of the committee shall reflect the full name of the organization with which the committee is connected or affiliated or sufficiently describe such affiliation. If the political committee is not connected or affiliated with any one organization, the name shall reflect the trade, profession or primary interest of the committee as reflected by the statement of purpose of such organization;

(2) the names and addresses and email addresses, which such email addresses shall be optional, of the chairperson and treasurer of the committee;

(3) the names and addresses of affiliated or connected organizations; and

(4) in the case of a political committee, the full name of the organization with which the committee is connected or affiliated or, name or description sufficiently describing the affiliation or, if the committee is not connected or affiliated with any one organization, the trade, profession or primary interest of the political committee as reflected by the statement of purpose of such organization.

(c) Any change in information previously reported in a statement of organization shall be reported on a supplemental statement of organization and filed not later than 10 days following the change.

(d) (1) Each political committee which anticipates receiving contributions shall register annually with the commission on or before July 1 of each year. Each political committee registration shall be in the form and contain such information as may be required by the commission.

(2) Each registration by a political committee anticipating the receipt of \$2,501 or more in any calendar year shall be accompanied by an annual registration fee of \$300.

(3) Each registration by a political committee anticipating the receipt of more than \$500 but less than \$2,501 in any calendar year shall be accompanied by an annual registration fee of \$50.

(4) Each registration by a political committee anticipating the receipt of \$500 or less in any calendar year shall be accompanied by an annual registration fee of \$25.

(5) Any political committee which is currently registered under subsection (d)(3) or (d)(4) and which receives contributions in excess of \$2,500 for a calendar year, shall

file, within three days of the date when contributions exceed such amount, an amended registration form which shall be accompanied by an additional fee for such year equal to the difference between \$300 and the amount of the fee that accompanied the current registration.

(6) Any political committee which is currently registered under subsection (d)(4) and which receives contributions in excess of \$500 but which are less than \$2,501, shall file, within three days of the date when contributions exceed \$500, an amended registration form which shall be accompanied by an additional fee of \$25 for such year.

(e) All such fees received by or for the commission shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the governmental ethics commission fee fund.

Sec. 12. K.S.A. 2016 Supp. 25-4148b is hereby amended to read as follows: 25-4148b. (a) Every treasurer for a candidate for state or local office shall file reports of campaign contributions as prescribed by this act. Reports filed by treasurers for candidates for state office, ~~other than officers elected on a state-wide basis,~~ shall be filed in ~~both~~ the office of the secretary of state ~~and in the office of the county election officer of the county in which the candidate is a resident. Reports filed by treasurers for candidates for state-wide office shall be filed only with the secretary of state.~~ Reports filed by treasurers for candidates for local office shall be filed in the office of the county election officer of the county in which the name of the candidate is on the ballot. Reports required by this section shall be in addition to any other reports required by law.

(b) The report shall contain the name and address of each person who has made one or more contributions in an aggregate amount or value of \$300 or more during the period commencing 11 days before a primary or general election at which a state or local officer is to be elected and ending at 11:59 p.m. on the Wednesday preceding the date of election. The report shall be made on or before the close of business on the Thursday preceding the date of the election. The report shall contain the amount and date of the contribution, including the name and address of every lender, guarantor and endorser when the contribution is in the form of an advance or loan.

(c) Reports required by this section shall be filed by hand delivery, express delivery service, facsimile transmission or any electronic method authorized by the secretary of state.

(d) (1) "Local office" shall have the meaning ascribed to it in K.S.A. 25-4143, and amendments thereto.

(2) "State office" shall have the meaning ascribed to it in K.S.A. 25-4143, and amendments thereto.

(e) The provisions of this section shall be part of and supplemental to the campaign finance act.;

Also on page 11, in line 14, by striking "and" and inserting a comma; in line 15, after "25-2701" by inserting "and 25-4144"; also in line 15, after "Supp." by inserting "25-213, "; also in line 15, by striking the second "and" and inserting a comma; also in line 15, after "25-3107" by inserting ", 25-4145 and 25-4148b";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "dealing with" and inserting "relating to";

in line 2, after the semicolon by inserting "write in candidates; candidate and political committee reports to the secretary of state; email addresses; reports of contributions preceding an election; filing location requirements;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after the second "and" by inserting "25-4144 and"; also in line 3, after "Supp." by inserting "25-213,"; also in line 3, by striking the third "and" and inserting a comma; also in line 3, after "25-3107" by inserting ", 25-4145 and 25-4148b";

And your committee on conference recommends the adoption of this report.

ELAINE BOWERS
 STEVE FITZGERALD
 OLETHA FAUST GOUDEAU
Conferees on part of Senate

KEITH ESAU
 BLAKE CARPENTER
 VIC MILLER
Conferees on part of House

On motion of Rep. Esau, the conference committee report on **HB 2158** was adopted.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2170** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 6, by striking all after "between"; in line 7, after "sunset" by inserting "and sunrise";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2170** was adopted.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Garber, Hoffman, Huebert, Jacobs, Landwehr, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Pittman.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2213** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 3, following line 38, by inserting the following:

"Sec. 2. K.S.A. 2016 Supp. 72-4484 is hereby amended to read as follows: 72-4484. The provisions of K.S.A. 2016 Supp. 72-4481, 72-4482 and 72-4483, and amendments thereto, shall expire on June 30, ~~2017~~ 2019.";

Also on page 3, in line 39, after "Supp." by inserting "72-4484 and"; also in line 39, by striking "is" and inserting "are";

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "relating to the postsecondary technical education authority;"; in line 3, after "Supp." by inserting "72-

4484 and"; also in line 3, by striking "section" and inserting "sections";
 And your committee on conference recommends the adoption of this report.

MOLLY BAUMGARDNER

DON DOLL

ANTHONY HENSLEY

Conferees on part of Senate

CLAY AURAND

DIANA DIERKS

VALDENIA C. WINN

Conferees on part of House

On motion of Rep. Aurand, the conference committee report on **HB 2213** was adopted.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgeson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Pittman.

REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **SB 120** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 120," as follows:

"House Substitute for SENATE BILL NO. 120

By Committee on Judiciary

"AN ACT concerning the code of civil procedure; amending K.S.A. 2016 Supp. 60-102, 60-206, 60-216, 60-226, 60-230, 60-231, 60-234, 60-237 and 60-255 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 60-268.";

And the substitute bill be passed.

(**H Sub for SB 120** was thereupon introduced and read by title.)

On motion of Rep. Hineman, the House recessed until 3:20 p.m

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

On motion of Rep. Hineman, the House recessed until 5:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

MESSAGES FROM THE SENATE

Announcing passage of **SB 146, SB 186.**

The Senate accedes to the request of the House for a conference on **SB 89** and has appointed Senators Petersen, Doll and Pettey as second conferees on the part of the Senate.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

SB 146, SB 186.

On motion of Rep. Hineman, the House recessed until 7:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for Sub HB 2052.**

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2052** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 14, after the second comma by inserting "and"; also in line 14, by striking "and June 30, 2025,";

On page 7, following line 4, by inserting:

"Community aid (039-00-1000-3004).....\$40,283,925";

Also on page 7, by striking all in lines 41 through 43;
 On page 8, by striking all in lines 1 through 11;
 And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 9, in line 3, by striking "\$229,863,160" and inserting "\$143,993,394";

On page 11, in line 41, by striking "\$300,000" and inserting "\$2,109,429";

On page 15, in line 33, by striking "\$150,000,000" and inserting "\$64,130,234";

On page 18, following line 29, by inserting:

"Sec. 39. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary of corrections, from moneys appropriated from the state general fund or any special revenue fund or funds for the department of corrections for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary of corrections from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Leavenworth county, Kansas, subject to the provisions of this section:

TRACT I

The Fractional East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 30, Township 9 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas, LESS any part thereof taken or used for road purposes.

ALSO LESS

Beginning at a point in the center of the North Line of the Northeast Quarter of Section 30, Township 9 South, Range 23 East of the 6th P.M., in Leavenworth County, Kansas; thence East 447 feet; thence South 500 feet; thence West 121 feet; thence South 820 feet; thence West 325 feet; thence North 1320 feet to the place of beginning.

ALSO LESS

Beginning from the northeast corner of Section 30, Township 9, Range 22 East, thence due South a distance of 750 feet, thence due West a distance of 750 feet, thence North a distance of 750 feet, and thence East 750 feet to the point of beginning, said parcel of land leased to the City of Lansing, Kansas, for park purposes pursuant to Amended Lease Agreement recorded in Book 870, Page 1295.

AND

TRACT II

Commencing at the Southwest corner of the Northeast Quarter of Section 30, Township 9 South, Range 23 East of the 6th P.M., Leavenworth County, Kansas; thence North 60 rods; thence East 80 rods; thence South 60 rods; thence West 80 rods to the place of beginning, LESS any part thereof taken or used for road purposes.

(b) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary of corrections without having first advised and consulted with the joint committee on state building construction.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property described in subsection (a) shall not require approval of the state finance council.

(d) When the sale is made, the proceeds thereof shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(e) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(f) In the event that the secretary of corrections determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 40. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Neosho county, Kansas, subject to the provisions of this section:

The South Half of the Southeast Quarter (S/2 SE/4) of Section Nineteen (19), Township Twenty-seven (27) South, Range Eighteen (18) East of the 6th P. M., excepting therefrom five (5) tracts of land described as follows:

a. The North Ten (10) acres of the Southeast Quarter of this Southeast Quarter (SE/4 SE/4) of said section Nineteen (19);

b. Beginning at a point on Plummer Avenue, 330 feet south of the northeast corner of the South Half of the Southeast Quarter (S/2 SE/4) of said Section Nineteen (19), thence west parallel with the north line of said eighty, 1320 feet; thence south 330 feet on a line parallel with the east line of said eighty; thence east 1320 feet on a line parallel with the north line of said eighty; thence north along said east line to the point of beginning, containing 10 acres;

c. Beginning at a point 495 feet north of the southeast corner of said Section Nineteen (19), thence north 165 feet to the southeast corner of 10-acre tract previously sold to Guy Umbarger; thence west along the south line of said Umbarger 10-acre tract, 792 feet; thence south on a line parallel to the east line, 165 feet; thence east on a line parallel to said Umbarger tract to point of beginning, containing approximately 3 acres;

d. Beginning at the southeast corner of said Section Nineteen (19), thence west along the south line of said section 690 feet; thence northerly 445 feet; thence easterly 690 feet to a point on the east line of said section, 445 feet north of the southeast corner of said section; thence south along said east line 445 feet to the point of beginning. The above includes 30 feet of road right-of-way along the south side used for Seventh Street and 30 feet of road right-of-way along the east side used for Plummer Avenue. Including the road rights-of-way, the above includes 7.05 acres, more or less; and

e. Beginning at a point 30 feet north of and 690 feet west of the southeast corner of the Southeast Quarter (SE/4) of said Section Nineteen (19); thence west along right-of-way line of present road, 1950 feet, more or less, to the west line of said Southeast Quarter (SE/4); thence north along the west line of said Southeast Quarter (SE/4), 10 feet; thence east parallel to and 10 feet north of the present right-of-way, 1950 feet,

more or less, to a point 690 feet west of and 40 feet north of the southeast corner of said Southeast Quarter (SE/4); thence south 10 feet to the point of beginning, containing .44 acres, more or less, condemned for highway purposes.

(b) During fiscal year 2017, the real property described in subsection (a) shall be sold or conveyed to the Neosho memorial regional medical center, at the price agreed upon between the parties.

(c) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(d) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property described in subsection (a) shall not require approval of the state finance council.

(e) When the sale is made, the proceeds thereof shall be deposited in the state treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(f) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(g) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

(h) On the effective date of this act, the provisions of section 104(d) of chapter 12 of the 2016 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

Sec. 41. (a) During the fiscal year ending June 30, 2017, in addition to the other purposes for which expenditures may be made by the secretary for children and families, from moneys appropriated from the state general fund or any special revenue fund or funds for the Kansas department for children and families for fiscal year 2017 by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 and 111 of the 2016 Session Laws of Kansas, this act or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for children and families from the state general fund or from any special revenue fund or funds for fiscal year 2017, for the secretary, on behalf of the state of Kansas, to sell and convey all of the rights, title and interest in the following tracts of real estate located in Sedgwick county, Kansas, subject to the provisions of this section:

Lot 5, except the North 2 feet, all of Lot 7, and the North 4 feet of Lot 9, Palisade Avenue, Fair Grounds addition to the City of Wichita, Sedgwick County, Kansas; commonly known as 2105 Palisade, Wichita, Kansas.

(b) No sale or conveyance of the real property described in subsection (a) shall be authorized or approved by the secretary for children and families without having first advised and consulted with the joint committee on state building construction.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-6609(c), and amendments thereto, or any other statute, the sale or conveyance of the real property described in subsection (a) shall not require approval of the state finance council.

(d) When the sale is made, the proceeds thereof shall be deposited in the state treasury in accordance with the provisions of K.S.A. 2016 Supp. 75-6609(f), and amendments thereto.

(e) The conveyance of real property authorized by this section shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto.

(f) In the event that the secretary for children and families determines that the legal description of the parcel described by this section is incorrect, the secretary of administration may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.

Sec. 42. On the effective date of this act, the provisions of section 50 of chapter 111 of the 2016 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.";

On page 21, in line 5, by striking "to be"; by striking all in line 6; in line 7, by striking all before "and";

On page 28, in line 37, by striking "June 1" and inserting "or before June 27";

On page 29, in line 11, by striking "June 30, 2018,"; in line 13, by striking "¹/₇" and inserting "¹/₆"; in line 27, after the fourth comma by inserting "and"; also in line 27, by striking "and June 30, 2025,"; in line 28, by striking "¹/₇" and inserting "¹/₆";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the fifth comma by inserting "and"; also in line 3, by striking "and June 30, 2025,";

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

RICK BILLINGER

LAURA KELLY

Conferees on part of Senate

TROY WAYMASTER

ERIN DAVIS

KATHY WOLFE MOORE

Conferees on part of House

On motion of Rep. Waymaster, the conference committee report on **S Sub for HB 2052** was adopted.

Call of the House was demanded.

On roll call, the vote was: Yeas 108; Nays 15; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Corbet, DeGraaf, Dove, Garber, Helgerson, Jacobs, K. Jones,

Landwehr, Miller, Osterman, Parker, R. Powell, Whipple, Whitmer.

Present but not voting: None.

Absent or not voting: Clayton, Tarwater.

EXPLANATION OF VOTE

MR. SPEAKER: This bill borrows over \$650 million to pay for operating expenses. It is a clear sign of the financial vulnerability facing Kansas and its citizens. The Governor is asking us to borrow another 1.5 billion dollars to balance next year's budget. Borrowing 16% of your budget is financially destructive and will lead to a systemic failure of our government. I vote no on **S Sub for Sub HB 2052**. – HENRY HELGERSON

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Pensions** recommends **SB 205**, as amended by Senate Committee, be amended on page 5, following line 43, by inserting:

"Sec. 3. K.S.A. 74-4959 is hereby amended to read as follows: 74-4959. (1) Upon the death from service-connected causes as defined in this act, of an active contributing member prior to retirement, the following benefits shall be payable if a report of the event, in a form acceptable to the board, is filed in the office of the executive director of the board within 200 days after the date of the act of duty causing such death and an application for such benefits, in such form and manner as prescribed by the board, is filed in the office of the executive director of the board within two years of the date of death, but the board may waive such time limits for a reasonable period if in the judgment of the board the failure to meet these limits was due to lack of knowledge or incapacity:

(a) To the member's spouse, if lawfully wedded to the member at the time of the member's death, an annual spouse's benefit equal to 50% of the member's final average salary; or, for deaths occurring on or after July 1, 2016, the greater of: (i) 50% of the member's final average salary; or (ii) the amount that would have been paid had the member elected the option provided for in K.S.A. 74-4964(5)(B), and amendments thereto, and retired as of the first day of the month coinciding with or following the date of death, which. Such spouse's benefit shall accrue from the first day of the month coinciding with or following the member's death and shall end on the first day of the month in which the spouse's death occurs. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act.

(b) Subject to the provisions of K.S.A. 74-49,123, and amendments thereto, to the member's children under the age of 18 years or under the age of 23 years, if such children are full-time students as provided in K.S.A. 74-49,117, and amendments thereto, an annual children's benefit equal to 10% of the member's final average salary for each such child, which shall accrue from the first day of the month coinciding with or following the member's death and shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto, except that if there is no eligible spouse, or

if upon the death of the spouse there remain one or more children under the age of 18 years or under the age of 23 years, if such children are full-time students as provided in K.S.A. 74-49,117, and amendments thereto, the annual spouse's benefit shall be paid in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act.

(c) In no case shall benefits payable under the provisions of ~~paragraphs (a) and (b) of this subsection (1)~~ (a) and (b) exceed ~~75%~~ 90% of the member's final average salary.

(2) Pursuant to the provisions of K.S.A. 74-49,128, and amendments thereto, upon the death from causes not service-connected of an active contributing member prior to retirement, the member's spouse, if lawfully wedded to the member at the time of the member's death, shall receive immediately a lump-sum benefit equal to 100% of the member's final average salary and shall be entitled to receive an annual death benefit equal to the member's retirement benefit calculated as if the member had retired on the member's normal retirement date, but based upon the member's final average salary and years of credited service on the date of death but not to exceed ~~the amount of the annual spouse's benefit provided in paragraph (a) of subsection (1)~~ an amount equal to 50% of the member's final average salary. An application for such benefits in such form and manner as prescribed by the board must be filed in the office of the executive director of the board within two years of the date of death, but the board may waive such time limit for a reasonable period if in the judgment of the board the failure to meet this limit was due to the lack of knowledge or incapacity. On and after July 1, 1993, the annual spouse's benefit under this subsection (2) shall accrue from the first day of the month coinciding with or following the member's death and shall continue until the spouse's death. Commencing on the effective date of this act, any surviving spouse, who was receiving benefits pursuant to this section and who had such benefits terminated by reason of such spouse's remarriage, shall be entitled to once again receive benefits pursuant to this section, except that such surviving spouse shall not be entitled to recover any benefits not received after the termination of benefits by reason of such surviving spouse's remarriage but before the effective date of this act. If there is no eligible spouse or if after the death of the spouse there remain one or more children of the member under the age of 18 years or one or more children of the member under the age of 23 years, if such children are full-time students as provided in K.S.A. 74-49,117, and amendments thereto, the spouse's benefit shall be payable, subject to the provisions of K.S.A. 74-49,123, and amendments thereto, in equal shares to such children and each child's share shall end on the last day of the month in which such child attains the age of 18 years or dies, whichever occurs earlier or in which such child attains the age of 23 years, if such child is a full-time student as provided in K.S.A. 74-49,117, and amendments thereto. Commencing on the effective date of this act, any child who was receiving benefits pursuant to this section and who had such benefits terminated by

reason of such child's marriage, shall be entitled to once again receive benefits pursuant to this section subject to the limitations contained in this section, except that such child shall not be entitled to recover any benefits not received after the termination of benefits by reason of such child's marriage but before the effective date of this act.

(3) Upon the death of a member prior to retirement, if no benefits are payable under the provisions of subsection (1) or (2), the sum of the following shall be paid to the member's beneficiary: (a) The member's accumulated contributions; and (b) a lump sum death benefit equal to 100% of the member's current annual salary reduced by the sum of the member's accumulated contributions paid as provided by this section.

(4) All payments due under this section to a minor shall be made to a legally appointed conservator of such minor as provided in ~~subsection (7) of K.S.A. 74-4902(7)~~, and amendments thereto.

Sec. 4. K.S.A. 2016 Supp. 74-4914 is hereby amended to read as follows: 74-4914.

(1) The normal retirement date for a member of the system shall be the first day of the month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days and without any prearranged agreement for employment with any participating employer, and the attainment of age 65 or, commencing July 1, 1993, age 62 with the completion of 10 years of credited service or the first day of the month coinciding with or following the date that the total of the number of years of credited service and the number of years of attained age of the member is equal to or more than 85. In no event shall a normal retirement date for a member be before six months after the entry date of the participating employer by whom such member is employed. A member may retire on the normal retirement date or on the first day of any month thereafter upon the filing with the office of the retirement system of an application in such form and manner as the board shall prescribe. Such application shall contain a certification by the member that the member will not be employed with any participating employer within 60 days of retirement and the member has not entered into a prearranged agreement for employment with any participating employer. Nothing herein shall prevent any person, member or retirant from being employed, appointed or elected as an employee, appointee, officer or member of the legislature. Elected officers may retire from the system on any date on or after the attainment of the normal retirement date, but no retirement benefits payable under this act shall be paid until the member has terminated such member's office.

(2) No retirant shall make contributions to the system or receive service credit for any service after the date of retirement.

(3) Any member who is an employee of an affiliating employer pursuant to K.S.A. 74-4954b, and amendments thereto, and has not withdrawn such member's accumulated contributions from the Kansas police and firemen's retirement system may retire before such member's normal retirement date on the first day of any month coinciding with or following the attainment of age 55.

(4) Any member may retire before such member's normal retirement date on the first day of any month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days and the attainment of age 55 with the completion of 10 years of credited service, but in no event before six months after the entry date, upon the filing with the office of the retirement system of an application for retirement in such

form and manner as the board shall prescribe. The member's application for retirement shall contain a certification by the member that the member will not be employed with any participating employer within 60 days of retirement and the member has not entered into a prearranged agreement for employment with any participating employer.

(5) Except as provided in subsection (7), on or after July 1, 2006, for any retiree who is first employed or appointed in or to any position or office by a participating employer other than a participating employer for which such retiree was employed or appointed during the final two years of such retiree's participation, and, on or after April 1, 2009, for any retiree who is employed by a third-party entity who contracts services with a participating employer other than a participating employer for which such retiree was employed or appointed during the final two years of such retiree's participation to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, with such retiree, such participating employer shall pay to the system the actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retiree's compensation during any such period of employment or appointment. If a retiree is employed or appointed in or to any position or office for which compensation for service is paid in an amount equal to \$20,000 or more in any one such calendar year, or \$25,000 or more in any one calendar year between July 1, 2016, and July 1, 2020, by any participating employer for which such retiree was employed or appointed during the final two years of such retiree's participation, and, on or after April 1, 2009, by any third-party entity who contracts services to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, with such retiree with a participating employer for which such retiree was employed or appointed during the final two years of such retiree's participation, such retiree shall not receive any retirement benefit for any month for which such retiree serves in such position or office. The participating employer who employs such retiree whether by contract directly with the retiree or through an arrangement with a third-party entity shall report to the system within 30 days of when the compensation paid to the retiree is equal to or exceeds any limitation provided by this section. Any participating employer who contracts services with any such third-party entity to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, shall include in such contract a provision or condition which requires the third-party entity to provide the participating employer with the necessary compensation paid information related to any such position filled by the third-party entity with a retiree to enable the participating employer to comply with provisions of this subsection relating to the payment of contributions and reporting requirements. The provisions and requirements provided for in amendments made in this act which relate to positions filled with a retiree or employment of a retiree by a third-party entity shall not apply to any contract for services entered into prior to April 1, 2009, between a participating employer and third-party entity as described in this subsection. Any retiree employed by a participating employer or a third-party entity as provided in this subsection shall not make contributions nor receive additional credit under such system for such service except as provided by this section. Upon request of the executive director of the system, the secretary of revenue shall provide such information as may be needed by the executive director to carry out the provisions of this act. The provisions of this subsection shall not apply to retirees employed as substitute teachers or officers, employees or appointees of the legislature. The provisions of this subsection shall not apply to

members of the legislature prior to January 8, 2000. The provisions of this subsection shall not apply to any other elected officials prior to the term of office of such elected official which commences on or after July 1, 2000. The provisions of this subsection shall apply to any other elected official, except an elected city or county officer as further provided in this subsection, on and after the term of office of such other elected official which commences on or after July 1, 2000. Notwithstanding any provisions of law to the contrary, when an elected city or county officer is retired under the provisions of subsection (1) or (4) of this section and is paid an amount of compensation of \$25,000 or more in any one calendar year between July 1, 2016, and July 1, 2020, such officer may receive such officer's salary, and still be entitled to receive such officer's retirement benefit pursuant to the provisions of K.S.A. 74-4915 et seq., and amendments thereto. Except as otherwise provided, commencing January 8, 2001, the provisions of this subsection shall apply to members of the legislature. For determination of the amount of compensation paid pursuant to this subsection, for members of the legislature, compensation shall include any amount paid as provided pursuant to K.S.A. 46-137a(a), (b), (c) and (d), and amendments thereto, or pursuant to K.S.A. 46-137b, and amendments thereto. Notwithstanding any provision of law to the contrary, when a member of the legislature is paid an amount of compensation of \$20,000 or more in any one calendar year, the member may continue to receive any amount provided in K.S.A. 46-137a(b) and (d), and amendments thereto, and still be entitled to receive such member's retirement benefit. Commencing July 1, 2005, the provisions of this subsection shall not apply to retirants who either retired under the provisions of subsection (1), or, if they retired under the provisions of subsection (4), were retired more than 30 days prior to the effective date of this act and are licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in K.S.A. 76-12a01(b) or K.S.A. 38-2302~~(f)~~(k), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment.

(6) For purposes of this section, any employee of a local governmental unit which has its own pension plan who becomes an employee of a participating employer as a result of a merger or consolidation of services provided by local governmental units, which occurred on January 1, 1994, may count service with such local governmental unit in determining whether such employee has met the years of credited service requirements contained in this section.

(7) (a) Except as provided in K.S.A. 74-4937(3), (4), or (5), and amendments thereto, and the provisions of this subsection, commencing July 1, 2016, and ending July 1, 2020, any retirant who is employed or appointed in or to any position by a participating employer or a third-party entity who contracts services with a participating employer to fill a position, without any prearranged agreement with such participating employer and not prior to 60 days after such retirant's retirement date, shall not receive any retirement benefit for any month in any calendar year in which the retirant receives compensation in an amount equal to \$25,000 or more, pursuant to this subsection. The provisions of this subsection shall apply to members of the legislature.

(b) The provisions of this subsection shall not apply, except as specifically provided in this subsection, to retirants ~~that~~ who are:

(i) Licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in K.S.A. 76-12a01(b) or 38-2302~~(f)~~(k), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation and the statutorily prescribed employee contribution during any such period of employment;

(ii) employed by a school district in a position as provided in K.S.A. 74-4937(3), (4) or (5), and amendments thereto. Any retirant employed by a school district in a position under K.S.A. 74-4937(3), (4) or (5), and amendments thereto, shall be subject to the provisions of subsection (7)(h) which relate to a limitation on the total term of employment with any participating employer in which a retirant may receive such retirant's full retirement benefit;

(iii) certified law enforcement officers employed by the law enforcement training center. Such law enforcement officers shall receive their benefits notwithstanding this subsection. The law enforcement training center shall pay to the system the ~~actuarial~~ actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retirant's compensation during any such period of employment;

(iv) members of the Kansas police and firemen's retirement system pursuant to K.S.A. 74-4951 et seq., and amendments thereto, ~~or~~ members of the retirement system for judges pursuant to K.S.A. 20-2601 et seq., and amendments thereto, or members of the state board of regents retirement plan pursuant to K.S.A. 74-4925 et seq., and amendments thereto;

(v) employed as substitute teachers or officers, employees or appointees of the legislature;

(vi) a poll worker hired to work an election day for a county election officer responsible for conducting all official elections held in the county; and

(vii) employed by, or have accepted employment from, a participating employer prior to May 1, 2015. Any break in continuous employment by a retirant or move to a different position by a retirant during the effective period of this subsection shall be deemed new employment and shall subject the retirant to the provisions of this subsection.

(c) The participating employer shall enroll all retirants and report to the system when compensation is paid to a retirant as provided in this subsection. Such report shall contain a certification by the appointing authority of the participating employer that any hired retirant has not been employed by the participating employer within 60 days of such retirant's retirement and that there was no prearranged agreement for employment between the participating employer and the hired retirant. Upon request of the executive director of the system, the participating employer shall provide such information as may be needed by the executive director to carry out the provisions of this subsection. Any participating employer who hires a retirant covered by this subsection shall pay to the system the statutorily prescribed employer contribution rate for such retirant, without regard to whether the retirant is receiving benefits. No retirant shall receive credit for service while employed under the provisions of this subsection.

(d) A participating employer may employ a retirant without regard to the

compensation limitation in this subsection for a period of one calendar year or one school year, as the case may be, if the following requirements are met:

(i) The employer certifies to the board that the position being filled has been vacated due to an unexpected emergency or the employer has been unsuccessful in filling the position;

(ii) the employer pays to the system a 30% employer contribution based on the retirant's compensation during any such period of employment. On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%; and

(iii) the employer maintains documentation of its efforts to fill the position with a non-retirant and provides such documentation to the joint committee on pensions, investments and benefits upon request of the committee.

(e) An employer may submit a written assurance protocol to the system to extend the exception provided for in subsection (7)(d) by one-year increments for a total extension not to exceed three years. A written assurance protocol shall be submitted to the system for each one-year increment extension. If a school district submits a written assurance protocol, such written assurance protocol shall be signed by the superintendent and the board president of such school district. If a municipality, as defined in K.S.A. 75-1117, and amendments thereto, other than a school district, submits a written assurance protocol, such written assurance protocol shall be signed by the governing body or such governing body's designee for such municipality. Such written assurance protocol shall state that the position was advertised on multiple platforms for a minimum of 30 calendar days and that at least one of the following conditions occurred:

(i) No applications were submitted for the position;

(ii) if applications were submitted, none of the applicants met the reference screening criteria of the employer; or

(iii) if applications were submitted, none of the applicants possessed the appropriate licensure, certification or other necessary credentials for the position.

(f) On July 1, 2021, and at least every five years thereafter, the joint committee on pensions, investments and benefits shall study the issue of whether the compensation limitation prescribed in this subsection should be adjusted. The committee shall consider the effect of inflation and data on member retirement benefits and active employee compensation.

(g) Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature.

(h) Any retirant hired by any participating employer under the provisions of subsection (7)(d) or K.S.A. 74-4937(3), (4) or (5), and amendments thereto, may

continue to receive such retirant's full retirement benefit so long as, commencing July 1, 2016, such retirant's total term of employment with all participating employers under one or more of such provisions does not exceed 48 months or four school years, whichever is less. After such period, such retirant shall not receive any retirement benefit for any month in any calendar year in which such retirant receives compensation in an amount equal to \$25,000 or more in such calendar year.

(8) If determined by the retirement system that a retirant entered into a prearranged agreement for employment with a participating employer prior to such retirant's retirement and prior to the end of the subsequent 60-day waiting period, the monthly retirement benefit of such retirant shall be suspended during the period that begins on the month in which the retirant is re-employed and ends six months after the retirant's termination of such employment. The retirant shall repay to the retirement system all monthly retirement benefits paid to the retirant by the retirement system that the retirant received after such employment began. The participating employer which hired such retirant shall be required to pay to the system any fees, fines, penalties or any other cost imposed by the internal revenue service and indemnify the system for any cost incurred by the system to defend any action brought by the internal revenue service based on in-service distributions which are a result of any determined prearranged agreement and for any cost incurred by the system to collect any monthly retirement benefit required to be repaid by such retirant pursuant to this subsection.

(9) For the purposes of this section a prearranged agreement for employment may be determined by whether the facts and circumstances of the situation indicate that the employer and employee reasonably anticipated that further services would be performed after the employee's retirement.

Sec. 5. K.S.A. 2016 Supp. 74-49,123 is hereby amended to read as follows: 74-49,123. (a) This section applies to the Kansas public employees retirement system and to all other public retirement plans administered by the board of trustees.

(b) As used in this section:

(1) "Federal internal revenue code" means the federal internal revenue code of 1954 or 1986, as amended and as applicable to a governmental plan as in effect on July 1, 2008; and

(2) "retirement plan" includes the Kansas public employees retirement system and all other Kansas public retirement plans and benefit structures, which are administered by the board.

(c) In addition to the federal internal revenue code provisions otherwise noted in each retirement plan's law, and in order to satisfy the applicable requirements under the federal internal revenue code, the retirement plans shall be subject to the following provisions, notwithstanding any other provision of the retirement plan's law:

(1) The board shall distribute the corpus and income of the retirement plan to the members and their beneficiaries in accordance with the retirement plan's law. At no time prior to the satisfaction of all liabilities with respect to members and their beneficiaries shall any part of the corpus and income be used for, or diverted to, purposes other than the exclusive benefit of the members and their beneficiaries.

(2) Forfeitures arising from severance of employment, death or for any other reason may not be applied to increase the benefits any member would otherwise receive under the retirement plan's law. However, forfeitures may be used to reduce an employer's contribution.

(3) All benefits paid from the retirement plan shall be distributed in accordance with a good faith interpretation of the requirements of section 401(a)(9) of the federal internal revenue code and the regulations under that section. Notwithstanding any other provision of these rules and regulations, effective on and after January 1, 2003, the retirement plan is subject to the following provisions:

(A) Benefits must begin by the required beginning date, which is the later of April 1 of the calendar year following the calendar year in which the member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which the member terminates employment. If a member fails to apply for retirement benefits by April 1 of the calendar year following the calendar year in which such member reaches 70½ years of age or April 1 of the calendar year following the calendar year in which such member terminates employment, whichever is later, the board will begin distributing the benefit as required by this section.

(B) The member's entire interest must be distributed over the member's life or the lives of the member and a designated beneficiary, or over a period not extending beyond the life expectancy of the member or of the member and a designated beneficiary. Death benefits must be distributed in accordance with section 401(a)(9) of the federal internal revenue code, including the incidental death benefit requirement in section 401(a)(9)(G) of the federal internal revenue code, and the regulations implementing that section.

(C) The life expectancy of a member, the member's spouse or the member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

(D) If a member dies after the required distribution of benefits has begun, the remaining portion of the member's interest must be distributed at least as rapidly as under the method of distribution before the member's death and no longer than the remaining period over which distributions commenced.

(E) If a member dies before required distribution of the member's benefits has begun, the member's entire interest must be either:

(i) In accordance with federal regulations, distributed over the life or life expectancy of the designated beneficiary, with the distributions beginning no later than December 31 of the calendar year immediately following the calendar year of the member's death; or

(ii) distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

(F) The amount of an annuity paid to a member's beneficiary may not exceed the maximum determined under the incidental death benefit requirement of the federal internal revenue code.

(G) The death and disability benefits provided by a retirement plan are limited by the incidental benefit rule set forth in section 401(a)(9)(G) of the federal internal revenue code and treasury regulation 1.401-1(b)(1)(i).

(4) Distributions from the retirement plans may be made only upon retirement, separation from service, disability or death.

(5) The board or its designee may not:

(A) Determine eligibility for benefits;

(B) compute rates of contribution; or

(C) compute benefits of members or beneficiaries, in a manner that discriminates in favor of members who are considered officers, supervisors or highly compensated, as

prohibited under section 401(a)(4) of the federal internal revenue code.

(6) Subject to the provisions of this subsection, benefits paid from, and employee contributions made to, the retirement plans shall not exceed the maximum benefits and the maximum annual additions, respectively, permissible under section 415 of the federal internal revenue code.

(A) Before January 1, 1995, a member may not receive an annual benefit that exceeds the limits specified in section 415(b) of the federal internal revenue code, subject to the applicable adjustments in that section. Beginning January 1, 1995, a participant may not receive an annual benefit that exceeds the dollar amount specified in section 415(b)(1)(A) of the federal internal revenue code, subject to the applicable adjustments in section 415 of the federal internal revenue code.

(B) Notwithstanding any other provision of law to the contrary, the board may modify a request by a participant to make a contribution to the retirement plans if the amount of the contribution would exceed the limits under section 415(c) or 415(n) of the federal internal revenue code subject to the following:

(i) Where the retirement plan's law requires a lump-sum payment, for the purchase of service credit, the board may establish a periodic payment plan in order to avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code.

(ii) If the board's option under ~~subdivision clause~~ (i) will not avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code, the board shall reduce or deny the contribution.

(C) Effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, if an active member makes one or more contributions to purchase permissive service credit under a retirement plan, then the requirements of this section shall be treated as met only if:

(i) The requirements of section 415(b) of the federal internal revenue code are met, determined by treating the accrued benefit derived from all such contributions as an annual benefit for purposes of such section; or

(ii) the requirements of section 415(c) of the federal internal revenue code are met, determined by treating all such contributions as annual additions for purposes of such section. For purposes of applying ~~subparagraph clause~~ (i) a retirement plan shall not fail to meet the reduced limit under section 415(b)(2)(C) of the federal internal revenue code solely by reason of this ~~paragraph subparagraph~~ (C), and for purposes of applying ~~subparagraph clause~~ (ii), a retirement plan shall not fail to meet the percentage limitation under section 415(c)(1)(B) of the federal internal revenue code solely by reason of this paragraph.

(iii) For purposes of this ~~paragraph clause~~, the term "permissive service credit" means service credit:

(a) Specifically recognized by a retirement plan's law for purposes of calculating a member's benefit under that retirement plan;

(b) which such member has not received under a retirement plan; and

(c) which such member may receive under a retirement plan's law only by making a voluntary additional contribution, in an amount determined under the retirement plan's law and procedures established by the board, which does not exceed the amount necessary to fund the benefit attributable to such service credit.

(iv) A retirement plan shall fail to meet the requirements of this ~~paragraph clause~~ if

the retirement plan's law specifically provides for a purchase of nonqualified service purchase, and if:

(a) More than five years of nonqualified service credit are taken into account for purposes of this ~~paragraph subclause~~; or

(b) any nonqualified service credit is taken into account under this ~~paragraph subclause~~ before the member has at least five years of participation under a retirement plan. For purposes of this ~~paragraph subclause~~, effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, the term "nonqualified service credit" means the same as provided in section 415(n)(3)(C) of the federal internal revenue code.

(v) In the case of a trustee-to-trustee transfer after December 31, 2001, to which section 403(b)(13)(A) or 457(e)(17)(A) of the federal internal revenue code applies, without regard to whether the transfer is made between plans maintained by the same employer:

(a) The limitations of ~~subparagraph clause~~ (iv) shall not apply in determining whether the transfer is for the purchase of permissive service credit; and

(b) the distribution rules applicable under federal law to a retirement plan shall apply to such amounts and any benefits attributable to such amounts.

(vi) For an eligible member, the limitation of section 415(c)(1) of the federal internal revenue code shall not be applied to reduce the amount of permissive service credit which may be purchased to an amount less than the amount which was allowed to be purchased under the terms of the statute as in effect on August 5, 1997. For purposes of this ~~subparagraph clause~~, an eligible member is an individual who first became a member in the retirement plan before January 1, 1998.

(D) Subject to approval by the internal revenue service, the board shall maintain a qualified governmental excess benefit arrangement under section 415(m) of the federal internal revenue code. The board shall establish the necessary and appropriate procedures for the administration of such benefit arrangement under the federal internal revenue code. The amount of any annual benefit that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be paid from this benefit arrangement. The amount of any contribution that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be credited to this benefit arrangement. The qualified excess benefit arrangement shall be a separate portion of the retirement plan. The qualified excess benefit arrangement is subject to the following requirements:

(i) The benefit arrangement shall be maintained solely for the purpose of providing to participants in the retirement plans that part of the participant's annual benefit otherwise payable under the terms of the act that exceeds the limitations on benefits imposed by section 415 of the federal internal revenue code; and

(ii) participants do not have an election, directly or indirectly, to defer compensation to the excess benefit arrangement.

(E) For purposes of applying these limits only and for no other purpose, the definition of compensation where applicable shall be compensation actually paid or made available during a limitation year, except as noted below and as permitted by treasury regulation section 1.415(c)-2. Specifically, compensation shall be defined as wages within the meaning of section 3401(a) of the federal internal revenue code and all other payments of compensation to an employee by an employer for which the

employer is required to furnish the employee a written statement under sections 6041(d), 6051(a)(3) and 6052 of the federal internal revenue code. Compensation shall be determined without regard to any rules under section 3401(a) of the federal internal revenue code that limit the remuneration included in wages based on the nature or location of the employment or the services performed, such as the exception for agricultural labor in section 3401(a)(2) of the federal internal revenue code.

(i) However, for limitation years beginning after December 31, 1997, compensation shall also include amounts that would otherwise be included in compensation but for an election under sections 125(a), 402(e)(3), 402(h)(1)(B), 402(k) or 457(b) of the federal internal revenue code. For limitation years beginning after December 30, 2000, compensation shall also include any elective amounts that are not includable in the gross income of the employee by reason of section 132(f)(4) of the federal internal revenue code.

(ii) The definition of compensation shall exclude employee contributions picked up under section 414(h)(2) of the federal internal revenue code.

(iii) For limitation years beginning on and after January 1, 2007, compensation for the limitation year will also include compensation paid by the later of two and a half months after an employee's severance from employment or the end of the limitation year that includes the date of the employee's severance from employment if:

(a) The payment is regular compensation for services during the employee's regular working hours or compensation for services outside the employee's regular working hours, such as overtime or shift differential, commissions, bonuses or other similar payments, and absent a severance from employment, the payments would have been paid to the employee while the employee continues in employment with the employer;

(b) the payment is for unused accrued bona fide sick, vacation or other leave that the employee would have been able to use if employment had continued; or

(c) for limitation years beginning on and after January 1, 2012, the payment is made pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid to the member at the same time if the member had continued employment with the employer and only to the extent that the payment is includable in the member's gross income.

(iv) Any payments not described in ~~paragraph~~ clause (iii) are not considered compensation if paid after severance from employment, even if they are paid within two and a half months following severance from employment, except for payments to the individual who does not currently perform services for the employer by reason of qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the employer rather than entering qualified military service.

(v) An employee who is in qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, shall be treated as receiving compensation from the employer during such period of qualified military service equal to: (a) The compensation the employee would have received during such period if the employee were not in qualified military service, determined based on the rate of pay the employee would have received from the employer but for the absence during the period of qualified military service; or (b) if the compensation the employee would have received during such period was not reasonably certain, the employee's average

compensation from the employer during the twelve-month period immediately preceding the qualified military service, or if shorter, the period of employment immediately preceding the qualified military service.

(vi) Back pay, within the meaning of treasury regulation section 1.415(c)-2(g)(8), shall be treated as compensation for the limitation year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included under this definition.

(7) On and after January 1, 2009, for purposes of applying the limits under section 415(b) of the federal internal revenue code, the following shall apply:

(A) A member's applicable limit shall be applied to the member's annual benefit in the first limitation year without regard to any automatic cost-of-living increases;

(B) to the extent the member's annual benefit equals or exceeds such limit, the member shall no longer be eligible for cost-of-living increases until such time as the benefit plus the accumulated increases are less than such limit;

(C) thereafter, in any subsequent limitation year, the member's annual benefit including any automatic cost-of-living increase applicable shall be tested under the then applicable benefit limit including any adjustment to the dollar limit under section 415(b)(1)(A) or 415(d) of the federal internal revenue code and the regulations thereunder; and

(D) in no event shall a member's annual benefit payable from a retirement plan in any limitation year be greater than the limit applicable at the annuity starting date, as increased in subsequent years pursuant to section 415(d) of the federal internal revenue code and the regulations thereunder. If the form of benefit without regard to the automatic benefit increase feature is not a straight life annuity, then the preceding sentence is applied by reducing the limit under section 415(b) of the federal internal revenue code applicable at the annuity starting date to an actuarially equivalent amount determined using the assumptions specified in treasury regulation section 1.415(b)-1(c)(2)(ii) that take into account the death benefits under the form of benefit. This subsection applies to distributions made on and after January 1, 1993. A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a transfer made from the retirement system.

(i) An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: (a) Any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life or the life expectancy of the distributee or the joint lives or joint life expectancies of the distributee and the distributee's designated beneficiary or for a specified period of 10 years or more; (b) any distribution to the extent such distribution is required under section 401(a)(9) of the federal internal revenue code; (c) the portion of any distribution that is not includable in gross income; and (d) any other distribution that is reasonably expected to total less than \$200 during the year. Effective January 1, 2002, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includable in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the federal internal revenue code, or to a qualified defined contribution plan described in section 401(a) of the federal internal revenue code or to a

qualified plan described in section 403(a) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings on such amounts, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable, or on or after January 1, 2007, to a qualified defined benefit plan described in section 401(a) of the federal internal revenue code or to an annuity contract described in section 403(b) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings thereon, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable.

(ii) An eligible retirement plan is any of the following that accepts the distributee's eligible rollover distribution:

(a) An individual retirement account described in section 408(a) of the federal internal revenue code;

(b) an individual retirement annuity described in section 408(b) of the federal internal revenue code;

(c) an annuity plan described in section 403(a) of the federal internal revenue code;

(d) a qualified trust described in section 401(a) of the federal internal revenue code;

(e) effective January 1, 2002, an annuity contract described in section 403(b) of the federal internal revenue code;

(f) effective January 1, 2002, a plan eligible under section 457(b) of the federal internal revenue code that is maintained by a state, political subdivision of a state or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into the plan from a retirement plan; or

(g) effective January 1, 2008, a roth IRA described in section 408(A) of the federal internal revenue code.

(iii) Effective January 1, 2002, the definition of eligible rollover distribution also includes a distribution to a surviving spouse, or to a spouse or former spouse who is an alternate payee under a domestic relations order, as defined in section 414(p) of the federal internal revenue code.

(iv) A distributee includes an employee or former employee. It also includes the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the federal internal revenue code. Effective July 1, 2007, a distributee further includes a nonspouse beneficiary who is a designated beneficiary as defined by section 401(a)(9)(E) of the federal internal revenue code. However, a nonspouse beneficiary may rollover the distribution only to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution and the account or annuity will be treated as an "inherited" individual retirement account or annuity.

(v) A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.

(8) Notwithstanding any law to the contrary, the board may accept a direct or indirect eligible rollover distributions for the purpose of the purchase of service credit. In addition, the board may accept a direct trustee to trustee transfer from a deferred compensation plan under section 457(b) of the federal internal revenue code or a tax sheltered annuity under section 403(b) of the federal internal revenue code for: (A) The

purchase of permissive service credit, as defined under section 415(n)(3)(A) of the federal internal revenue code; or (B) a repayment to which section 415 of the federal internal revenue code does not apply pursuant to section 415(k)(3) of the federal internal revenue code. Any such transfer shall be allowed as provided in this subsection to the extent permitted by law, subject to any conditions, proofs or acceptance established or required by the board or the board's designee.

(9) Where required by the act, an employer shall pick up and pay contributions that would otherwise be payable by members of a retirement plan in accordance with section 414(h)(2) of the federal internal revenue code as follows:

(A) The contributions, although designated as employee contributions, are being paid by the employer in lieu of contributions by the employee;

(B) the employee must not have been given the option of receiving the amounts directly instead of having them paid to the retirement plan; and

(C) the pickup shall apply to amounts that a member elects to contribute to receive credit for prior or participating service if the election is irrevocable and applies to amounts contributed before retirement.

(10) (A) Notwithstanding any provision of this plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the federal internal revenue code and the uniformed services employment and reemployment rights act of 1994.

(B) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent required by section 401(a)(37) of the federal internal revenue code, survivors of a member in the system, are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. A deceased member's period of qualified military service must be counted for vesting purposes.

(C) Effective with respect to deaths or disabilities, or both, occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent permitted by section 414(u)(9) of the federal internal revenue code, for the benefit accrual purposes and in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death or disability, or both, and then having terminated on the date of death or disability. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(D) Beginning January 1, 2009, to the extent required by section 414(u)(12) of the federal internal revenue code, an individual receiving differential wage payments, as defined under section 3401(h)(2) of the federal internal revenue code, from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the federal internal revenue code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(11) Upon the complete or partial termination of a retirement plan, the rights of members to benefits accrued to the date of termination, to the extent funded, or to the amounts in their accounts are nonforfeitable, and amounts in their accounts may be

distributed to them.

(d) The plan year for the retirement plan begins on July 1.

(e) The limitation year for purposes of section 415 of the federal internal revenue code is the calendar year.

(f) The board may not engage in a transaction prohibited by section 503(b) of the federal internal revenue code.

(g) (1) For purposes of determining an "actuarial equivalent" or of an "actuarial computation" for members hired prior to July 1, 2009, the board shall use the following:

(A) The applicable mortality table is specified in revenue ruling 2001-62 or revenue ruling 2007-67, as applicable; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(2) For purposes of determining an "actuarial equivalent" or an "actuarial computation" for members hired on or after July 1, 2009, the board shall use the following:

(A) The applicable mortality table is the ^{50/50} male/female blend of the RP 2000 health annuitant mortality table, projected to 2025; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(3) For converting amounts payable under the partial lump sum option, the board shall use the following:

(A) The applicable mortality table is a ^{50/50} male/female blend of the 1983 group annuity mortality table; and

(B) the applicable interest factor is ~~8% per year~~ the actuarially assumed rate of return established by the board.

(4) For benefit testing under section 415(b) of the federal internal revenue code, the factors required by treasury regulations shall be used. The applicable mortality table is specified in revenue ruling 2001-62 for years prior to January 1, 2009, and notice 2008-85 for years after December 31, 2008.;"

On page 6, in line 1, by striking "and" and inserting a comma; also in line 1, after "74-4956" by inserting "and 74-4959 and K.S.A. 2016 Supp. 74-4914, 74-4914f and 74-49,123";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "providing certain death benefits to surviving spouses; exempting state board of regents retirement plan members from certain employment after retirement provisions; determining actuarial equivalent or actuarial computation interest factor;"; also in line 3, by striking the first "and" and inserting a comma; also in line 3, after "74-4956" by inserting "and 74-4959 and K.S.A. 2016 Supp. 74-4914 and 74-49,123"; in line 4, after "sections" by inserting "; also repealing K.S.A. 2016 Supp. 74-4914f"; and the bill be passed as amended.

REPORT ON ENGROSSED BILLS

HB 2180, HB 2279 reported correctly engrossed April 5, 2017.

S Sub for HB 2304 reported correctly engrossed April 6, 2017.

REPORT ON ENROLLED RESOLUTIONS

HCR 5003, HCR 5014 reported correctly enrolled and properly signed on April 6, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, April 7, 2017.

Journal of the House

FIFTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, April 7, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Reps. Arnberger, Aurand and Houser were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,
 We thank You for this day and for the beautiful sunshine.
 As we draw near to the end of the session,
 thank You for these leaders here
 in the land of the Wizard of Oz,
 who have fought hard for Citizen Kane
 and all other citizens of Kansas.
 Some of the bills presented were eaten up quickly by Jaws,
 while others were Gone with the Wind
 or Cast Away.
 Sometimes the discussions seemed as long as
 From Here to Eternity.
 Some decisions may have taken people
 by The Blind Side,
 others may have taken us Back to the Future.
 A couple of the issues brewed like The Perfect Storm,
 while others might have been presented like the Bourne Ultimatum.
 But when all has been said and done,
 our desire is that the decisions made for the people
 are ones that will help them believe
 It's A Wonderful Life.
 Continue to lead and guide today.
 In Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Highberger.

INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Brim are spread upon the Journal:

Autism Awareness Month marks an important time for individuals, families and communities to honor and unite for many reasons.

Our children and their families remind us each day of the gains that have been made in understanding and supporting those affected by Autism Spectrum Disorders, but also the enormous amount of work that remains to be done.

The phrase “Autism Awareness and Acceptance” can elicit many feelings, and today, I would challenge us all to consider what it truly means.

AWARENESS AND ACCEPTANCE IS TO BE OPEN, TO BE COMPASSIONATE AND MOST IMPORTANTLY, TO BE KIND.

Give a smile to the mom in the grocery store whose child is throwing a tantrum over the candy bar that she’s so desperately managing to keep him from.

Invite the child with autism to your child’s birthday party and make sure that those parents know that their child is genuinely welcome—whether it be for five minutes, for an hour or maybe hopefully, the entire time.

If a child falls apart in your presence, ask that parent, “what can I do to make this better for you?”

Ask questions. Reserve judgment. Don’t assume you know more than you do.

Give your friend a hug or the squeeze of your hand when their child has the bravery to make it through a school performance. Be there for her with a shoulder to lean on, in her isolation, when he does not.

Teach your children about inclusivity, that it is not merely a concept or an accommodation but a lesson in how we treat others. It is a horrible feeling to be excluded and there are gifts of friendship to be found in all of us. Acceptance is not simply to tolerate one another but to value our differences and to recognize the strengths that lie within all people.

EVERYBODY HAS DIFFERENCES. ALL PEOPLE MATTER.

Work harder to reach out. Be kind. Teach your kids about the act of kindness and that kindness benefits everybody. Know that kindness needs to be taught and continuously reinforced. Be proactive to affect change. Imagine what you would want if the tables were turned.

Stand up for the rights of all people, whether your child is “neurotypical,” “quirky,” “special needs,” “disabled,” “differently abled,” “different,” or any label. A label does not even begin to tell the whole story about a child, their family or, their strength in love.

Today, I have Melanie Gosch, Gus Gosch, Kim Wheeler, and Erica Minton with me representing Prairie Ridge Elementary.

I would like to recognize PRE: teachers, paras, Mr. Rex, administration, kitchen staff and the families. It takes a village and the students in the gallery are the fifth grade class and have made a community for Gus which has allowed him to experience success.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 186**.

Taxation: **SB 146**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Davis in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Davis, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 202** be passed.

Committee report recommending a substitute bill to **SB 120** be adopted; and **H Sub for SB 120** be passed.

Committee report to **SB 205** be adopted; and the bill be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, to advance **H Sub for SB 120, SB 202, SB 205**, to Final Action on Bills and Concurrent Resolutions, the motion prevailed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

H Sub for SB 120, AN ACT concerning the code of civil procedure; amending K.S.A. 2016 Supp. 60-102, 60-206, 60-216, 60-226, 60-230, 60-231, 60-234, 60-237 and 60-255 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 60-268, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.
 Absent or not voting: Arnberger, Aurand, Houser.
 The substitute bill passed.

SB 202, AN ACT concerning tribal-state compacts; approving a compact between the Kickapoo Tribe in Kansas and the state of Kansas; approving a compact between the Sac and Fox Nation of Missouri in Kansas and Nebraska and the state of Kansas; relating to cigarette and tobacco sales, taxation and escrow collection, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Schwab.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Houser.

The bill passed.

SB 205, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; participating service credit; providing certain death benefits to surviving spouses; exempting state board of regents retirement plan members from certain employment after retirement provisions; determining actuarial equivalent or actuarial computation interest factor; amending K.S.A. 74-4913, 74-4956 and 74-4959 and K.S.A. 2016 Supp. 74-4914 and 74-49,123 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 74-4914f, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger,

Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Houser.

The bill passed, as amended.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 89** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 11, following line 8, by inserting:

"New Sec. 4. There is hereby established in the state treasury the seat belt safety fund which shall be administered by the secretary of transportation. All expenditures of moneys in the seat belt safety fund shall be used for the purpose of promotion and education of occupant protection among children, including, but not limited to, programs in schools in Kansas and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person or persons designated by the secretary of transportation. The secretary of transportation may accept all gifts, grants, donations and bequests to the fund. The secretary of transportation shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the seat belt safety fund.

New Sec. 5. On July 1, 2017, the director of accounts and reports shall transfer all moneys in the repossessed certificates of title fee fund to the division of vehicles operating fund. On July 1, 2017, all liabilities of the repossessed certificates of title fee fund are hereby transferred to and imposed on the division of vehicles operating fund, and the repossessed certificates of title fee fund is hereby abolished.

Sec. 6. K.S.A. 2016 Supp. 8-2504 is hereby amended to read as follows: 8-2504. (a) (1) Persons violating ~~subsection (a)(1) of K.S.A. 8-2503(a)(1)~~, and amendments thereto, shall be fined ~~\$5 and no court costs and, from and after July 1, 2011, persons violating subsection (a)(1) of K.S.A. 8-2503, and amendments thereto, shall be fined \$10 \$30~~ and no court costs; and

(2) persons violating ~~subsection (a)(2) of K.S.A. 8-2503(a)(2)~~, and amendments thereto, shall be fined \$60 and no court costs.

(b) No court shall report violation of this act to the department of revenue.

(c) Evidence of failure of any person to use a safety belt shall not be admissible in

any action for the purpose of determining any aspect of comparative negligence or mitigation of damages.

(d) The provisions of this section shall be applicable and uniform throughout the state and no city, county, subdivision or local authority shall enact or enforce any law, ordinance, rule, regulation or resolution in conflict with, in addition to, or supplemental to, the provisions of this section.

Sec. 7. K.S.A. 2016 Supp. 12-4120 is hereby amended to read as follows: 12-4120.

(a) On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2016 Supp. 75-52,113, and amendments thereto.

(b) On and after July 1, 2013, the amount of \$2,500 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the human trafficking victim assistance fund established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

(c) On and after July 1, 2017, the amount of \$20 from each fine imposed for a violation of a city ordinance requiring the use of safety belts for those individuals required by K.S.A. 8-2503(a)(1), and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the seat belt safety fund established by section 4, and amendments thereto.

Sec. 8. K.S.A. 2016 Supp. 74-7336 is hereby amended to read as follows: 74-7336.

(a) Of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) ~~40.94%~~10.7% to the crime victims compensation fund;
- (2) ~~2.24%~~2.19% to the crime victims assistance fund;
- (3) ~~2.75%~~2.69% to the community alcoholism and intoxication programs fund;
- (4) ~~7.65%~~7.48% to the department of corrections alcohol and drug abuse treatment fund;
- (5) 0.16% to the boating fee fund;
- (6) 0.11% to the children's advocacy center fund;
- (7) ~~2.28%~~2.23% to the EMS revolving fund;
- (8) ~~2.28%~~2.23% to the trauma fund;
- (9) ~~2.28%~~2.23% to the traffic records enhancement fund;
- (10) ~~4.4%~~4.31% to the criminal justice information system line fund; ~~and~~
- (11) 2.2% to the seat belt safety fund; and
- (12) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses

and victims of crime.";

Also on page 11, in line 9, by striking the second "and" and inserting a comma; in line 10, after "145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "use of safety belts, violations, distribution of revenues; establishing the seat belt safety fund;"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "8-145d" by inserting ", 8-2504, 12-4120 and 74-7336";

And your committee on conference recommends the adoption of this report.

RICHARD J. PROEHL

SHANNON FRANCIS

ADAM LUSKER

Conferees on part of House

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

On motion of Rep. Proehl, the conference committee report on **SB 89** was adopted.

On roll call, the vote was: Yeas 103; Nays 19; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Resman, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Claeys, Corbet, DeGraaf, Frownfelter, Garber, Hoffman, Jacobs, K. Jones, Landwehr, R. Powell, Rahjes, Ryckman, Schwab, Seiwert, Thimesch, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Houser.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 101** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 7, in line 32, by striking all after "nurse"; in line 33, by striking all before

the period and inserting ", after consultation with law enforcement, reasonably believes that the child will be harmed if such notice is given";

On page 8, following line 15, by inserting:

"Sec. 13. K.S.A. 65-6009 is hereby amended to read as follows: 65-6009. (a) At the time of an appearance before a magistrate under K.S.A. 22-2901, and amendments thereto, the magistrate shall inform any person arrested and charged with a crime in which it appears from the nature of the charge that the transmission of body fluids from one person to another may have been involved of the availability of infectious disease tests and shall cause the alleged victim of such a crime, if any, to be notified that infectious disease tests and counseling are available. If the victim of the crime or the county or district attorney requests the court to order infectious disease tests of the alleged offender or if the person arrested and charged with a crime stated to the law enforcement officer making such arrest that the person arrested and charged with the crime has an infectious disease or is infected with an infectious disease, or used words of like effect, the court shall order the arrested person to submit to infectious disease tests. Testing for infectious disease shall occur not later than 48 hours after the alleged offender appears before a magistrate under K.S.A. 22-2901, and amendments thereto. The results of any test obtained under this section shall be inadmissible in any criminal or civil proceeding. The court shall also order the arrested person to submit to follow-up tests for infectious diseases as may be medically appropriate.

(b) Upon conviction of a person for any crime which the court determines from the facts of the case involved or was likely to have involved the transmission of body fluids from one person to another, the court: (1) May order the convicted person to submit to infectious disease tests; or (2) shall order the convicted person to submit to infectious disease tests if the victim of the crime or the parent or legal guardian of the victim, if the victim is a minor, requests the court to issue such order. If infectious disease tests are ordered under this subsection, the victim of the crime, if any, who is not a minor, shall designate a health care provider or counselor to receive such information on behalf of the victim. If the victim is a minor, the parent or legal guardian of the victim shall designate the health care provider or counselor to receive such information.

(c) The results of any infectious disease test ordered under subsection (a) shall be disclosed to the law enforcement officer making such arrest, the person arrested, the victim, the parent or legal guardian of the victim and such other persons as the court determines have a legitimate need to know the test result in order to provide for their protection. The results of any infectious disease test ordered under subsection (b) shall be disclosed to the court which ordered the test, the convicted person and to the person designated under subsection (b) by the victim or victims of the crime or by the parent or legal guardian of a victim if the victim is a minor. If an infectious disease test ordered under this section results in a positive reaction, the results shall be reported to the secretary of health and environment and to the secretary of corrections.

(d) As used in this section, infectious disease includes HIV and hepatitis B.

(e) The costs of any counseling and testing provided under this section shall be paid from amounts appropriated to the department of health and environment for that purpose. The court shall order the adjudicated person to pay restitution to the department of health and environment for the costs of any counseling provided under this section and the costs of any test ordered or otherwise performed under this section.";

On page 10, in line 23, by striking the first "and" and inserting a comma; also in line 23, after "60-31a09" by inserting "and 65-6009";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "infectious disease testing,"; in line 5, by striking "and" and inserting a comma; in line 6, after "31a09" by inserting "and 65-6009";

And your committee on conference recommends the adoption of this report.

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Finch, the conference committee report on **H Sub SB 101** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Houser.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 75, by Representative Claeys, congratulating Sacred Heart High School Boys Basketball Team for winning the 2017 Kansas State Championship, Class 2A Division;

Request No. 76, by Representative Ronald B. Ellis commending Perry Pride in recognition for Excellence in Community Service;

Request No. 77, by Representative Jim Kelly congratulating Jim Hogan in recognition for his induction into the 2017 Kansas Teachers' Hall of Fame;

Request No. 78, by Representative Gartner, congratulating Jamie Kidd on retiring after nine years with K-State Research and Extension in Shawnee County;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

MESSAGES FROM THE SENATE

Announcing adoption of **SCR 1608**.

The Senate concurs in House amendments to **H Sub for SB 13**.

The Senate concurs in House amendments to **SB 50**, and requests return of the bill.

The Senate concurs in House amendments to **H Sub for SB 70**, and requests return of the bill.

The Senate concurs in House amendments to **SB 124**, and requests return of the bill.

The Senate adopts the Conference Committee report on **HB 2096**.

The Senate adopts the Conference Committee report on **SB 46**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate concurrent resolution was thereupon introduced and read by title:

SCR 1608

In accordance with **SCR 1608**, a concurrent resolution relating to the adjournment of the senate and house of representatives for a period during the 2017 regular session of the legislature, Speaker Ryckman adjourned the House until 2:00 p.m., Monday, May 1, 2017.

REPORT ON ENGROSSED BILLS

HB 2080, HB 2170, HB 2213 reported correctly engrossed April 6, 2017.

HB 2158, S Sub for Sub 2052 reported correctly reengrossed April 7, 2017.

REPORT ON ENROLLED BILLS

HB 2006, HB 2025, S Sub for HB 2027, HB 2030, HB 2043, HB 2094, HB 2118, HB 2137, HB 2140 reported correctly enrolled, properly signed and presented to the Governor on April 7, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6028 reported correctly enrolled and properly signed on April 7, 2017.

Journal of the House

FIFTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 1, 2017, 2:00 p.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Bishop and Wilson were excused on verified illness.

Reps. Alford and DeGraaf were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,
We stand before You today,
grateful for the Spring Break we have just had.
Although on this May Day – which is to celebrate Spring –
we might be confused whether it was a Spring or Winter Break.
Thank You for the safe travels of our representatives
and bringing them back for the work that is before them.
There are a couple of big issues
that our leaders must face in the next few days.
They are tough issues requiring tough decisions.
I pray for a spirit of unity, collaboration and communication.
And as Henry Ford once said,
“coming together is a beginning;
keeping together is progress;
working together is success.”
May it be so in this chamber.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Rafie.

MESSAGES FROM THE GOVERNOR

HB 2110, HB 2136, HB 2191, HB 2217, HB 2219, HB 2312, HB 2329 approved on April 7, 2017.

HB 2006, HB 2025, S Sub for HB 2027, HB 2030, HB 2043, S Sub for HB 2055, HB 2094, HB 2118, HB 2137, HB 2140, S Sub for HB 2174, S Sub for HB 2304 approved on April 12, 2017.

S Sub for HB 2052, HB 2080, HB 2095, HB 2158, HB 2170, HB 2213 approved on April 18, 2017.

S Sub for HB 2026 approved on April 24, 2017.

COMMUNICATIONS FROM STATE OFFICERS

From the Office Governor Sam Brownback:
Executive Directive No. 17-02, Authorizing Conditional and Temporary Relief from Motor Carrier Rules and Regulations.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **H Sub for SB 120**, requests a conference and has appointed Senators Wilborn, Lynn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 205**, requests a conference and has appointed Senators Longbine, Billinger and Rogers as conferees on the part of the Senate.

The Senate appoints Senators Tyson, Kerschen, and Holland to replace Senators Longbine, Billinger, and Holland as conferees on **HB 2067**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 120**.

Speaker Ryckman thereupon appointed Reps. Finch, F. Patton and Carmichael as conferees on the part of the House.

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 205**.

Speaker Ryckman thereupon appointed Reps. Kelly, R. Powell and Finney as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Johnson, Phillips and Sawyer to replace Reps. Vickrey, Dove and Neighbor as conferees on **HB 2067**.

Speaker Ryckman announced the appointment of Reps. Johnson, Phillips and Sawyer to replace Reps. Aurand, Dierks and Winn as conferees on **HB 2212**.

REPORT ON ENGROSSED BILLS

HB 2095 reported correctly reengrossed April 6, 2017.

REPORT ON ENROLLED BILLS

S Sub for HB 2055, **S Sub for HB 2174**, **S Sub for HB 2304** reported correctly enrolled, properly signed and presented to the Governor on April 7, 2017.

S Sub for HB 2026, **S Sub for Sub HB 2052**, **HB 2080**, **HB 2095**, **HB 2158**, **HB 2170**, **HB 2213** reported correctly enrolled, properly signed and presented to the Governor on April 14, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6016, HR 6027, HR 6029 reported correctly enrolled and properly signed on April 13, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Tuesday, May 2, 2017.

Journal of the House

FIFTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 2, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 125 members present.

Excused later: Rep. Good.

Prayer by Chaplain Brubaker:

Almighty God,
As we come together today,
we are grateful for all that You have enabled
this body of leaders to accomplish.
You have gifted each one
with qualities that equip them to
achieve great things.
As each one brings their unique gifts and personalities
to the table,
merge all those distinctive abilities into one cohesive team.
As individuals, help them to work together
to create a higher entity – a team,
which is better than anyone could be on their own.
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Highland.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Landwehr are spread upon the Journal:

Three years ago, an old school building, mothballed by the local school district was given a new lease on life. Today we recognize the continuation of that educational legacy by recognizing the students and faculty of Urban Preparatory Academy in Wichita.

Urban Preparatory Academy started three years ago with 13 students in the old Mueller Elementary building after it was purchased from USD 259. The students and faculty with us today represent the 51 students enrolled at Urban Preparatory Academy this year.

The dream of Urban Preparatory Academy was brought to reality by Pastor Wade

Moore after seeing educational options around the country in the Army and touring different schools in Texas, Missouri, and Tennessee. After working with young people in Wichita as a youth pastor and substituting in the local district and planting his own church on South Broadway, Pastor Moore reached into northeast Wichita to start Urban Preparatory Academy.

His goal was to educate children and bring new life to the neighborhood. Classes in ACT preparation, neighborhood BBQs, and other activities let folks know that the once empty school building was "re-opened" for business. The next year 13 students walked into Urban Preparatory Academy. As each grade progresses toward high school, the first class will graduate in 2022.

I had the chance to visit Urban Prep recently and was thrilled to see the involvement and commitment of the students and the staff. They have a motto "If you can believe, you can achieve." The school's philosophy is giving hope to these children and their families.

Urban Preparatory Academy uses STAR testing, a nationally recognized testing service used in over 1/3 of schools in the US, and an innovative partnership with the Andover eCademy to reach their students and help them achieve their own American Dream. Pastor Moore said that every parent is asked to pay something to cover the cost — one father "pays" tuition by driving the school van — but no student is turned away because their family cannot afford tuition.

This is possible because of the State's Tax Credit Scholarship program for low income students.

Our communities and our state benefit from dedicated teachers and volunteers in schools both private and public. Our communities and our state benefit from those dedicating their life to revitalizing neighborhoods and old buildings. Our communities and our state benefit from actions big and small to help kids achieve their dreams. Our communities and our state are great places to raise a family, run a business, and start a school because of the values presented by these students. These are the values that all Kansans hold and are the values that brought each of us to service in this chamber.

I thank my colleagues and those in the gallery for recognizing the tremendous work of the Urban Preparatory Academy family. And remember "If you believe it, you can Achieve it!"

Rep. Landwehr presented Pastor Moore with a framed House certificate.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2421, AN ACT concerning sales and compensating use taxation; relating to exemptions, sales of currency, certain coins or bullion; amending K.S.A. 2016 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

MESSAGES FROM THE SENATE

The Senate appoints Senators Tyson, Kerschen, and Holland to replace Senators Baumgardner, Doll, and Hensley as conferees on **HB 2212**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Vickrey, **HR 6030**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6030**—

By Representative Vickrey

HR 6030—A RESOLUTION congratulating and commending the Louisburg High School band for receiving an invitation to perform in the Rose Parade in Pasadena, California.

A RESOLUTION congratulating and commending the Louisburg High School marching band for receiving an invitation to perform in the Rose Parade in Pasadena, California.

WHEREAS, The Louisburg High School marching band received an invitation to perform in the Rose Parade in Pasadena, California, on January 1, 2018, becoming the first Kansas high school band to be selected in 20 years; and

WHEREAS, The marching band will be composed of 195 students, which includes nearly 50 students from the 8th grade band; and

WHEREAS, Louisburg High School has an enrollment of 500 students and is in a community of over 4,000 people. The marching band will be performing in front of a crowd of 1 million people along the parade route and over 15 million people watching from home; and

WHEREAS, The marching band has competed in three festivals this school year: The Baker University Music Festival, where they earned a division rating of 1; the Kansas State University Central States Music Festival, where they earned a division rating of 1; and the State Music Festival, where they earned a division rating of 1 for the seventh consecutive year; and

WHEREAS, The marching band has been led by John Cisetti for the last 38 years; and

WHEREAS, The marching band is honored to not only represent Louisburg High School, but also the entire state of Kansas, and they hope to show the rest of the United States a sample of the very best that Kansas has to offer: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the Louisburg High School marching band for receiving an invitation to perform in the Rose Parade in Pasadena, California, and we wish them all the best as they prepare for this incredible experience; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Vickrey.

There being no objection, the following remarks of Rep. Vickrey are spread upon the Journal:

The community of Louisburg is very proud of the accomplishments of the Louisburg Wildcat Band. The Wildcat Band will bring honor to Kansans as they represent us at the Rose Bowl Parade. Today we recognize Louisburg High School Band Director, John Cisetti; USD 416 Superintendent, Brian Bierman and Drum Majors: Julia Walker, Hanna Becker and Chloe Philgreen.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2184**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Vickrey in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Vickrey, Committee of the Whole report, as follows, was adopted:

Recommended that:

Roll call was demanded on motion of Rep. Whitmer to amend **HB 2184**, on page 20, following line 29, by inserting:

"Sec. 8. K.S.A. 2016 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. "Delivery charges" shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the

items are not billed directly to the recipients. "Direct mail" includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. "Direct mail" does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North central association of colleges and schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages ~~or~~ tobacco, candy, dietary supplements, soft drinks or food sold through vending machines. "Food and food ingredients" does include bottled water.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property

produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A "lease or rental" may include future options to purchase or extend.

(1) "Lease or rental" does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) "Lease or rental" does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and

(E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 2016 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. "Tangible personal property" includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's

billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. "Telecommunications service" does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. "900 service" does not include the charge for collection services provided by the seller of the telecommunications

services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. "Bottled water" is calorie free and does not contain sweeteners or other additives, except that it may contain:

- (1) Antimicrobial agents;
- (2) fluoride;
- (3) carbonation;
- (4) vitamins, minerals and electrolytes;
- (5) oxygen;
- (6) preservatives; and
- (7) only those flavors, extracts or essences derived from a spice or fruit.

"Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(iii) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. "Candy" shall not include any preparation containing flour and shall require no refrigeration.

(jjj) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(lll) "Prepared food" means:

(1) Food sold in a heated state or heated by the seller;
(2) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(3) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

"Prepared food" does not include food that is only cut, repackaged or pasteurized by the seller, and eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of its food code so as to prevent food borne illnesses.

(mmm) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

(nnn) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.

Sec. 9. K.S.A. 2016 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2016 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county,

district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected, prior to July 1, 2017, upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other

recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected prior to July 1, 2017, upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but prior to July 1, 2017, not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b) (1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible

personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of ~~prewritten~~ computer software and the sale of the services of modifying, altering, updating or maintaining ~~prewritten~~ computer software, whether the ~~prewritten~~ computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and

prepaid wireless calling service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section prior to July 1, 2017; and

(w) all sales of charitable raffle tickets in accordance with K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing July 1, 2017, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 5.5%. The provisions of this subsection shall not apply to prepared food, unless sold without eating utensils, provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item;

or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas;

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption; or

(5) bottled water that is not otherwise sold as prepared food.

Sec. 10. K.S.A. 2016 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the

business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn

statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose

other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental prior to July 1, 2017, of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary

purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2016 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection

the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing,

altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this

subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares prior to July 1, 2017, made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this

subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging

farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production

operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered prior to July 1, 2017, by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales prior to July 1, 2017, of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)

(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by

or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall

be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any

contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales prior to July 1, 2017, of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales prior to July 1, 2017, of installation, repair and maintenance services performed on such machinery and equipment; and all sales prior to July 1, 2017, of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons

pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means

any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of

services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this

section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from

whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or

compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this

subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn

statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on

behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or

after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the

purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; and

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will

not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019.

Sec. 11. K.S.A. 2016 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2017, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.5% and 5.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the

transfer, storage and distribution of freight through railway and trucking operations.

Sec. 12. K.S.A. 2016 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%, except that commencing July 1, 2017, such rate shall be 5.5% on food and food ingredients as provided by K.S.A. 79-3603(x), and amendments thereto. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 13. K.S.A. 2016 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue

collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2017, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.5% and 5.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street

as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 20, in line 31, by striking "and" and inserting a comma; also in line 31, after "12-17,179" by inserting ", 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "economic development" and inserting "sales taxation; relating to exemptions, rate for food and food ingredients"; also in line 1, after "the" by inserting "collection and disposition of sales tax revenues for"; in line 2, by striking all before the first semicolon; in line 6, by striking the first "and" and inserting a comma; also in line 6, after "12-17,179" by inserting ", 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710"

On roll call, the vote was: Yeas 45; Nays 79; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Awerkamp, Barker, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Cox, DeGraaf, Delperdang, Dove, Ellis, Esau, Finney, Garber, Hawkins, Helgerson, Highland, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Miller, Osterman, Parker, Phelps, R. Powell, Resman, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Ward, Weber, C., Weigel, Whipple, Whitmer, Winn.

Nays: Alford, Amberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Campbell, Claey's, Clayton, Concannon, Corbet, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Eplee, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Henderson, Hibbard, Highberger, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, F. Patton, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Waymaster, Wheeler, K. Williams, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Lusk.

The motion of Rep. Whitmer to amend **HB 2184** did not prevail.

Also, on motion of Rep. Weber to amend **HB 2184**, the motion did not prevail; and the bill be passed.

CHANGE OF CONFEREES

Speaker pro tem Schwab announced the appointment of Rep. Trimmer to replace Rep. Finney as a member of the conference committee on **SB 205**.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2422, AN ACT concerning sales taxation; relating to exemptions, the make-a-wish foundation of Kansas; amending K.S.A. 2016 Supp. 79-3606 and repealing the

existing section, by Committee on Taxation.

HB 2423, AN ACT concerning internet service providers; prohibiting the collection and sale of personal data, by Committee on Federal and State Affairs.

On motion of Rep. Hineman, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub SB 101**.

The Senate adopts the Conference Committee report on **HB 2085**.

The Senate adopts the Conference Committee report on **HB 2153**.

Announcing passage of **SB 201**.

Announcing passage of **HB 2098**, **HB 2353**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

SB 201.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 14**, **SB 112**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 14** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 7, by striking all in lines 35 through 38;

On page 11, following line 29, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 40-4905 is hereby amended to read as follows: 40-4905. (a) Subject to the provisions of K.S.A. 2016 Supp. 40-4904, and amendments thereto, it shall be unlawful for any person to sell, solicit or negotiate any insurance within this state unless such person has been issued a license as an insurance agent in accordance with this act.

(b) Any person applying for a resident insurance agent license shall make application on a form prescribed by the commissioner. The applicant shall declare under penalty of perjury that the statements made in the application are true, correct and complete to the best of the applicant's knowledge and belief. Before approving the

application, the commissioner shall determine that the applicant:

(1) Is at least 18 years of age;
 (2) has not committed any act that is grounds for denial pursuant to this section or suspension or revocation pursuant to K.S.A. 2016 Supp. 40-4909, and amendments thereto;

(3) has paid a nonrefundable fee in the amount of \$30; and
 (4) has successfully passed the examination for each line of authority for which the applicant has applied.

(c) If the applicant is a business entity, then the commissioner shall make the following additional determinations in addition to those required by subsection (a):

(1) The name and address of a licensed agent who shall be responsible for the business entity's compliance with the insurance laws of this state and the rules and regulations promulgated thereunder;

(2) that each officer, director, partner and employee of the business entity who acts as an insurance agent is licensed as an insurance agent;

(3) that the business entity has disclosed to the department all of its officers, directors and partners whether or not such officers, directors, partners and employees are licensed as insurance agents; and

(4) that the business entity has disclosed to the department each officer, director, partner and employee who is licensed as an insurance agent.

(d) Any business entity which acts as an insurance agent and holds a direct agency appointment from an insurance company shall be required to obtain an insurance agent license.

(e) The commissioner may require the applicant to furnish any document or other material reasonably necessary to verify the information contained in an application.

(f) Each insurer that sells, solicits or negotiates any form of limited line credit insurance shall provide a program of instruction that may be approved by the commissioner to each individual employed by or acting on behalf of such insurer to sell, solicit or negotiate limited line credit insurance.

(g) (1) Each licensed insurance agent shall notify the commissioner of any officer, director, partner or employee of such insurance agent who:

(A) Is licensed as an individual insurance agent; and

(B) was not disclosed in such insurance agent's application for a license or any renewal thereof.

(2) Each licensed insurance agent shall notify the commissioner of any of its officers, directors, partners or employees who:

(A) Have terminated such relationship as an officer, director, partner or employee of such insurance agent; and

(B) has been previously disclosed in such insurance agent's application for a license or any renewal thereof.

(3) Each licensed insurance agent shall notify the commissioner within 30 working days of occurrence of any event required to be reported under paragraphs (1) or (2) of this subsection. Failure to provide the commissioner with the information required by this subsection shall subject the licensee to a monetary penalty of \$10 per day for each working day the required information is late subject to a maximum of \$50 per person per licensing year.

(h) Any applicant whose application for a license; is denied shall be given an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act.

(i) (1) The commissioner may require a person applying for a resident insurance agent license to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal arrests and convictions in this state or other jurisdictions. The commissioner is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the commissioner in the taking and processing of fingerprints of applicants and shall release all records of an applicant's arrests and convictions to the commissioner.

(2) The commissioner may conduct, or have a third party conduct, a background check on a person applying for a resident insurance agent license.

(3) Whenever the commissioner requires fingerprinting, a background check, or both, any associated costs shall be paid by the applicant.

(4) The commissioner may use the information obtained from a background check, fingerprinting and the applicant's criminal history only for purposes of verifying the identification of any applicant and in the official determination of the fitness of the applicant to be issued a license as an insurance agent in accordance with this act.

(5) A person applying for a resident insurance agent license who has been fingerprinted and has submitted to a state and national criminal history record check within the past 12 months in connection with the successful issuance or renewal of any other state-issued license may submit proof of such good standing to the commissioner in lieu of submitting to the fingerprinting and criminal history record checks described in subsections (i)(1) and (i)(2).

Sec. 4. K.S.A. 2016 Supp. 40-4905 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the first "to"; in line 2, by striking all before the semicolon and inserting "the regulation of sales thereof; insurance agent licensure"; also in line 2, after "40-4903" by inserting "and 40-4905"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

JENE VICKREY
WILLIE DOVE
CINDY NEIGHBOR

Conferees on part of House

JEFF LONGBINE
RICK BILLINGER
LYNN W. ROGERS

Conferees on part of Senate

On motion of Rep. Vickrey, the conference committee report on **SB 14** was adopted.

On roll call, the vote was: Yeas 111; Nays 11; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, B. Carpenter, Garber, Houser, Jacobs, K. Jones, Pittman, R. Powell, Schroeder, Schwab, Whitmer.

Present but not voting: None.

Absent or not voting: Good, Johnson, Thimesch.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 112** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, before line 9, by inserting:

"WHEREAS, The provisions of K.S.A. 2016 Supp. 21-6804(y), as amended by this act, shall be known and may be cited as the law enforcement protection act.

Now, therefore:";

On page 4, in line 5, by striking "or department of corrections"; in line 18, by striking "or department of corrections"; in line 29, after "(d)" by inserting "In determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense under this section, a court shall consider information presented to the court relating to any current or prior protective order issued against such person.

(e) ";

Also on page 4, by striking all in line 36;

On page 5, in line 2, before the period, by inserting:

"; and

(3) "protective order" means:

(A) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106 or 60-3107, and amendments thereto;

(B) a protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. § 2265;

(C) a restraining order issued pursuant to K.S.A. 23-2707, 38-2243, 38-2244 or 38-2255, and amendments thereto, or K.S.A. 60-1607, prior to its transfer;

(D) an order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case or upon appeal that orders the person to refrain from having

any direct or indirect contact with a family or household member;

(E) an order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person; or

(F) a protection from stalking order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto";

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

On page 7, following line 25, by inserting:

"Sec. 5. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6412 is hereby amended to read as follows: 21-6412. (a) Cruelty to animals is:

(1) Knowingly and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal;

(2) knowingly abandoning any animal in any place without making provisions for its proper care;

(3) having physical custody of any animal and knowingly failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal;

(4) intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment;

(5) knowingly but not maliciously killing or injuring any animal; or

(6) knowingly and maliciously administering any poison to any domestic animal.

(b) Cruelty to animals as defined in:

(1) Subsection (a)(1) or (a)(6) is a nonperson felony. Upon conviction of subsection (a)(1) or (a)(6), a person shall be sentenced to not less than 30 days or more than one year's imprisonment and be fined not less than \$500 nor more than \$5,000. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. During the mandatory 30 days imprisonment, such offender shall have a psychological evaluation prepared for the court to assist the court in determining conditions of probation. Such conditions shall include, but not be limited to, the completion of an anger management program; and

(2) subsection (a)(2), (a)(3), (a)(4) or (a)(5) is a:

(A) Class A nonperson misdemeanor, except as provided in subsection (b) (2)(B); and

(B) nonperson felony upon the second or subsequent conviction of cruelty to animals as defined in subsection (a)(2), (a)(3), (a)(4) or (a)(5). Upon such conviction, a person shall be sentenced to not less than five days or more than one year's imprisonment and be fined not less than \$500 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein.

(c) The provisions of this section shall not apply to:

(1) Normal or accepted veterinary practices;

(2) bona fide experiments carried on by commonly recognized research

facilities;

(3) killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of chapter 32 or chapter 47 of the Kansas Statutes Annotated, and amendments thereto;

(4) rodeo practices accepted by the rodeo cowboys' association;

(5) the humane killing of an animal ~~which that~~ is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner residing outside of a city or the owner thereof within a city if no animal shelter, ~~pound~~ or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of ~~an incorporated humane society, the operator of an animal shelter or pound,~~ a local or state health officer or a licensed veterinarian three business days following the receipt of any such animal at such ~~society, shelter or pound;~~

(6) with respect to farm animals, normal or accepted practices of animal husbandry, including the normal and accepted practices for the slaughter of such animals for food or by-products and the careful or thrifty management of one's herd or animals, including animal care practices common in the industry or region;

(7) the killing of any animal by any person at any time ~~which that~~ may be found outside of the owned or rented property of the owner or custodian of such animal and ~~which that~~ is found injuring or posing a threat to any person, farm animal or property;

(8) an animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods;

(9) laying an equine down for medical or identification purposes;

(10) normal or accepted practices of pest control, as defined in ~~subsection (x) of K.S.A. 2-2438a(x),~~ and amendments thereto; or

(11) accepted practices of animal husbandry pursuant to regulations promulgated by the United States department of agriculture for domestic pet animals under the animal welfare act, public law 89-544, as amended and in effect on July 1, 2006.

(d) The provisions of subsection (a)(6) shall not apply to any person exposing poison upon their premises for the purpose of destroying wolves, coyotes or other predatory animals.

(e) Any public health officer, law enforcement officer, licensed veterinarian or officer or agent of any ~~incorporated humane society,~~ animal shelter or other appropriate facility may take into custody any animal, upon either private or public property, ~~which that~~ clearly shows evidence of cruelty to animals. Such officer, agent or veterinarian may inspect, care for or treat such animal or place such animal in the care of a ~~duly incorporated humane society~~ an animal shelter or licensed veterinarian for treatment, boarding or other care or, if an officer of such ~~humane society~~ animal shelter or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane killing. ~~If the animal is placed in the care of an animal shelter, the animal shelter shall notify~~ The owner or custodian, if known or reasonably ascertainable, shall be notified in writing. If the owner or custodian is charged with a violation of this section, ~~the board of county commissioners~~

~~in the county where the animal was taken into custody shall establish and approve procedures whereby the law enforcement agency, district attorney's office, county prosecutor, veterinarian or animal shelter may petition the district court to be allowed in the county in which the animal was taken into custody to place the animal for adoption or euthanize transfer ownership of the animal at any time after 21 days after the owner or custodian is notified or, if the owner or custodian is not known or reasonably ascertainable after 21 days after the animal is taken into custody, unless the owner or custodian of the animal files a renewable cash or performance bond with the county clerk of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal transferred.~~

(f) ~~The owner or custodian of an animal placed for adoption or killed transferred pursuant to subsection (e) shall not be entitled to recover damages for the placement or killing transfer of such animal unless the owner proves that such placement or killing transfer was unwarranted.~~

(g) Expenses incurred for the care, treatment or boarding of any animal, taken into custody pursuant to subsection (e), pending prosecution of the owner or custodian of such animal for the crime of cruelty to animals, shall be assessed to the owner or custodian as a cost of the case if the owner or custodian is adjudicated guilty of such crime.

(h) ~~If a person is adjudicated guilty of the crime of cruelty to animals, and the court having jurisdiction is satisfied that an animal owned or possessed by such person would be in the future subjected to such crime, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society, an animal shelter or licensed veterinarian for sale or other disposition.~~

(i) As used in this section:

(1) "Animal shelter" means the same as such term is defined in K.S.A. 47-1701, and amendments thereto;

(2) "equine" means a horse, pony, mule, jenny, donkey or hinny; and

~~(2)-(3)~~ "maliciously" means a state of mind characterized by actual evil-mindedness or specific intent to do a harmful act without a reasonable justification or excuse.

Sec. 6. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6414 is hereby amended to read as follows: 21-6414. (a) Unlawful conduct of dog fighting is:

(1) Causing, for amusement or gain, any dog to fight with or injure another dog, with no requirement of culpable mental state;

(2) knowingly permitting such fighting or injuring on premises under one's ownership, charge or control; or

(3) training, owning, keeping, transporting or selling any dog with the intent of having it fight with or injure another dog.

(b) Unlawful possession of dog fighting paraphernalia is possession, with the intent to use in the unlawful conduct of dog fighting, any breaking stick, treadmill, wheel, hot walker, cat mill, cat walker, jenni, or other paraphernalia.

(c) Unlawful attendance of dog fighting is, entering or remaining on the

premises where the unlawful conduct of dog fighting is occurring, whether the person knows or has reason to know that dog fighting is occurring on the premises.

(d) (1) Unlawful conduct of dog fighting is a severity level 10, nonperson felony.

(2) Unlawful possession of dog fighting paraphernalia is a class A nonperson misdemeanor.

(3) Unlawful attendance of dog fighting is a class B nonperson misdemeanor.

(e) When a person is arrested under this section, a law enforcement agency may take into custody any dog on the premises where the dog fight is alleged to have occurred and any dog owned or kept on the premises of any person arrested for unlawful conduct of dog fighting, unlawful attendance of dog fighting, or unlawful possession of dog fighting paraphernalia.

(f) When a law enforcement agency takes custody of a dog under this section, such agency may place the dog in the care of ~~a duly incorporated humane society~~ an animal shelter or licensed veterinarian for boarding, treatment or other care. If it appears to a licensed veterinarian that the dog is diseased or disabled beyond recovery for any useful purpose, such dog may be humanely killed. The dog may be sedated, isolated or restrained if such officer, agent or veterinarian determines it to be in the best interest of the dog, other animals at the animal shelter or personnel of the animal shelter. ~~If the dog is placed in the care of an animal shelter, the board of county commissioners in the county where the animal was taken into custody shall establish and approve procedures whereby~~ The law enforcement agency, district attorney's office, county prosecutor, veterinarian or animal shelter may petition the district court in the county in which the animal was taken into custody to be allowed to place the dog for adoption or euthanize transfer ownership of the dog at any time after 21 days after the dog is taken into custody, unless the owner or custodian of the dog files a renewable cash or performance bond with the county clerk of the county where the dog is being held, in an amount equal to not less than the cost of care and treatment of the dog for 30 days. Upon receiving such petition, the court shall determine whether the dog may be placed for adoption or euthanized. The board of county commissioners in the county where the animal was taken into custody shall review the cost of care and treatment being charged by the animal shelter maintaining the animal transferred. Except as provided in subsection (g), if it appears to the licensed veterinarian by physical examination that the dog has not been trained for aggressive conduct or is a type of dog that is not commonly bred or trained for aggressive conduct, the district or county attorney shall order that the dog be returned to its owner when the dog is not needed as evidence in a case filed under this section or K.S.A. 2016 Supp. 21-6412, and amendments thereto. The owner or keeper of a dog ~~placed for adoption or humanely killed~~ transferred under this subsection shall not be entitled to damages unless the owner or keeper proves that such ~~placement or killing transfer~~ was unwarranted.

(g) If a person is convicted of unlawful conduct of dog fighting, unlawful attendance of dog fighting or unlawful possession of dog fighting paraphernalia, a dog taken into custody pursuant to subsection (e) shall not be returned to such person and the court shall order the owner or keeper to pay to the animal shelter or licensed veterinarian all expenses incurred for the care, treatment and boarding of such dog, including any damages caused by such dog, prior to conviction of the owner or keeper.

Disposition of such dog shall be in accordance with K.S.A. 2016 Supp. 21-6412, and amendments thereto. If no such conviction results, the dog shall be returned to the owner or keeper and the court shall order the county where the dog was taken into custody to pay to the law enforcement agency, veterinarian or animal shelter all expenses incurred ~~by the shelter~~ for the care, treatment and boarding of such dog, including any damages caused by such dog, prior to its return.

(h) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for cruelty to animals.

(i) As used in this section, "animal shelter" means the same as such term is defined in K.S.A. 47-1701, and amendments thereto.

Sec. 7. On and after July 1, 2017, K.S.A. 2016 Supp. 21-6804 is hereby amended to read as follows: 21-6804. (a) The provisions of this section shall be applicable to the sentencing guidelines grid for nondrug crimes. The following sentencing guidelines grid shall be applicable to nondrug felony crimes:

SENTENCING RANGE - NONDRUG OFFENSES

Category	A	B	C	D	E	F	G	H	I
Severity Level	3+ Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1 Person Felony	3+ Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felony	2+ Misdemeanors	1 Misdemeanor No Record
I	653 620 592	618 586 554	285 272 258	267 253 240	246 234 221	226 214 203	203 195 184	186 176 166	165 155 147
II	493 467 442	460 438 416	216 205 194	200 190 181	184 174 165	168 160 152	154 146 138	138 131 123	123 117 109
III	247 233 221	228 216 206	107 102 96	100 94 89	92 88 82	83 79 74	77 72 68	71 66 61	61 59 55
IV	172 162 154	162 154 144	75 71 68	69 66 62	64 60 57	59 56 52	52 50 47	48 45 42	43 41 38
V	136 130 122	128 120 114	60 57 53	55 52 50	51 49 46	47 44 41	43 41 38	38 37 34	34 32 31
VI	46 43 40	41 39 37	38 36 34	36 34 32	32 30 28	29 27 25	26 24 22	21 20 19	19 18 17
VII	34 32 30	31 29 27	29 27 25	26 24 22	23 21 19	19 18 17	17 16 15	14 13 12	13 12 11
VIII	23 21 19	20 19 18	19 18 17	17 16 15	15 14 13	13 12 11	11 10 9	11 10 9	9 8 7
IX	17 16 15	15 14 13	13 12 11	13 12 11	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5
X	13 12 11	12 11 10	11 10 9	10 9 8	9 8 7	8 7 6	7 6 5	7 6 5	7 6 5

LEGEND
Presumptive Probation
Probation
Presumptive Imprisonment

(b) Sentences expressed in the sentencing guidelines grid for nondrug crimes represent months of imprisonment.

(c) The sentencing guidelines grid is a two-dimensional crime severity and criminal history classification tool. The grid's vertical axis is the crime severity scale which classifies current crimes of conviction. The grid's horizontal axis is the criminal history scale which classifies criminal histories.

(d) The sentencing guidelines grid for nondrug crimes as provided in this section defines presumptive punishments for felony convictions, subject to the sentencing court's discretion to enter a departure sentence. The appropriate punishment for a felony conviction should depend on the severity of the crime of conviction when compared to all other crimes and the offender's criminal history.

(e) (1) The sentencing court has discretion to sentence at any place within the sentencing range. In the usual case it is recommended that the sentencing judge select the center of the range and reserve the upper and lower limits for aggravating and mitigating factors insufficient to warrant a departure.

(2) In presumptive imprisonment cases, the sentencing court shall pronounce the complete sentence which shall include the:

(A) Prison sentence;

(B) maximum potential reduction to such sentence as a result of good time; and

(C) period of postrelease supervision at the sentencing hearing. Failure to pronounce the period of postrelease supervision shall not negate the existence of such period of postrelease supervision.

(3) In presumptive nonprison cases, the sentencing court shall pronounce the:

(A) Prison sentence; and

(B) duration of the nonprison sanction at the sentencing hearing.

(f) Each grid block states the presumptive sentencing range for an offender whose crime of conviction and criminal history place such offender in that grid block. If an offense is classified in a grid block below the dispositional line, the presumptive disposition shall be nonimprisonment. If an offense is classified in a grid block above the dispositional line, the presumptive disposition shall be imprisonment. If an offense is classified in grid blocks 5-H, 5-I or 6-G, the court may impose an optional nonprison sentence as provided in subsection (q).

(g) The sentence for a violation of K.S.A. 21-3415, prior to its repeal, aggravated battery against a law enforcement officer committed prior to July 1, 2006, or a violation of K.S.A. 2016 Supp. 21-5412(d), and amendments thereto, aggravated assault against a law enforcement officer, which places the defendant's sentence in grid block 6-H or 6-I shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(h) When a firearm is used to commit any prison felony, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(i) (1) The sentence for the violation of the felony provision of K.S.A. 2016 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2016 Supp. 21-5414(b)(3), K.S.A. 2016 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2016 Supp. 21-6412 and K.S.A. 2016 Supp. 21-6416, and amendments thereto, shall be as provided by the specific

mandatory sentencing requirements of that section and shall not be subject to the provisions of this section or K.S.A. 2016 Supp. 21-6807, and amendments thereto.

(2) If because of the offender's criminal history classification the offender is subject to presumptive imprisonment or if the judge departs from a presumptive probation sentence and the offender is subject to imprisonment, the provisions of this section and K.S.A. 2016 Supp. 21-6807, and amendments thereto, shall apply and the offender shall not be subject to the mandatory sentence as provided in K.S.A. 2016 Supp. 21-5823, and amendments thereto.

(3) Notwithstanding the provisions of any other section, the term of imprisonment imposed for the violation of the felony provision of K.S.A. 2016 Supp. 8-1025, K.S.A. 8-2,144, K.S.A. 8-1567, K.S.A. 2016 Supp. 21-5414(b)(3), K.S.A. 2016 Supp. 21-5823(b)(3) and (b)(4), K.S.A. 2016 Supp. 21-6412 and K.S.A. 2016 Supp. 21-6416, and amendments thereto, shall not be served in a state facility in the custody of the secretary of corrections, except that the term of imprisonment for felony violations of K.S.A. 2016 Supp. 8-1025 or K.S.A. 8-2,144 or K.S.A. 8-1567, and amendments thereto, may be served in a state correctional facility designated by the secretary of corrections if the secretary determines that substance abuse treatment resources and facility capacity is available. The secretary's determination regarding the availability of treatment resources and facility capacity shall not be subject to review. Prior to imposing any sentence pursuant to this subsection, the court may consider assigning the defendant to a house arrest program pursuant to K.S.A. 2016 Supp. 21-6609, and amendments thereto.

(j) (1) The sentence for any persistent sex offender whose current convicted crime carries a presumptive term of imprisonment shall be double the maximum duration of the presumptive imprisonment term. The sentence for any persistent sex offender whose current conviction carries a presumptive nonprison term shall be presumed imprisonment and shall be double the maximum duration of the presumptive imprisonment term.

(2) Except as otherwise provided in this subsection, as used in this subsection, "persistent sex offender" means a person who:

(A) (i) Has been convicted in this state of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(A)(i) has at least one conviction for a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, in this state or comparable felony under the laws of another state, the federal government or a foreign government; or

(B) (i) has been convicted of rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto; and

(ii) at the time of the conviction under subsection (j)(2)(B)(i) has at least one conviction for rape in this state or comparable felony under the laws of another state, the federal government or a foreign government.

(3) Except as provided in subsection (j)(2)(B), the provisions of this subsection shall not apply to any person whose current convicted crime is a severity level 1 or 2 felony.

(k) (1) If it is shown at sentencing that the offender committed any felony violation for the benefit of, at the direction of, or in association with any criminal street gang, with the specific intent to promote, further or assist in any criminal conduct by

gang members, the offender's sentence shall be presumed imprisonment. The court may impose an optional nonprison sentence as provided in subsection (q).

(2) As used in this subsection, "criminal street gang" means any organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities:

(A) The commission of one or more person felonies; or

(B) the commission of felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009; and

(C) its members have a common name or common identifying sign or symbol; and

(D) its members, individually or collectively, engage in or have engaged in the commission, attempted commission, conspiracy to commit or solicitation of two or more person felonies or felony violations of article 57 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009, or any substantially similar offense from another jurisdiction.

(l) Except as provided in subsection (o), the sentence for a violation of K.S.A. 2016 Supp. 21-5807(a)(1), and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-3715(a) or (b), prior to its repeal, 21-3716, prior to its repeal, K.S.A. 2016 Supp. 21-5807(a)(1) or (a)(2), or K.S.A. 2016 Supp. 21-5807(b), and amendments thereto, or any attempt or conspiracy to commit such offense, shall be presumptive imprisonment.

(m) The sentence for a violation of K.S.A. 22-4903 or K.S.A. 2016 Supp. 21-5913(a)(2), and amendments thereto, shall be presumptive imprisonment. If an offense under such sections is classified in grid blocks 5-E, 5-F, 5-G, 5-H or 5-I, the court may impose an optional nonprison sentence as provided in subsection (q).

(n) The sentence for a violation of criminal deprivation of property, as defined in K.S.A. 2016 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, and when such person being sentenced has any combination of two or more prior convictions of K.S.A. 21-3705(b), prior to its repeal, or of criminal deprivation of property, as defined in K.S.A. 2016 Supp. 21-5803, and amendments thereto, when such property is a motor vehicle, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(o) The sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has no prior convictions for a violation of K.S.A. 21-3701 or 21-3715, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto; or the sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, when such person being sentenced has one or two prior felony convictions for a violation of K.S.A. 21-3701, 21-3715 or 21-

3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto; or the sentence for a felony violation of burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has one prior felony conviction for a violation of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto, shall be the sentence as provided by this section, except that the court may order an optional nonprison sentence for a defendant to participate in a drug treatment program, including, but not limited to, an approved after-care plan, if the court makes the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment in the community is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program will serve community safety interests.

A defendant sentenced to an optional nonprison sentence under this subsection shall be supervised by community correctional services. The provisions of K.S.A. 2016 Supp. 21-6824(f)(1), and amendments thereto, shall apply to a defendant sentenced under this subsection. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(p) The sentence for a felony violation of theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, when such person being sentenced has any combination of three or more prior felony convictions for violations of K.S.A. 21-3701, 21-3715 or 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto; or the sentence for a violation of burglary as defined in K.S.A. 2016 Supp. 21-5807(a), and amendments thereto, when such person being sentenced has any combination of two or more prior convictions for violations of K.S.A. 21-3701, 21-3715 and 21-3716, prior to their repeal, or theft of property as defined in K.S.A. 2016 Supp. 21-5801, and amendments thereto, or burglary or aggravated burglary as defined in K.S.A. 2016 Supp. 21-5807, and amendments thereto, shall be presumed imprisonment and the defendant shall be sentenced to prison as provided by this section, except that the court may recommend that an offender be placed in the custody of the secretary of corrections, in a facility designated by the secretary to participate in an intensive substance abuse treatment program, upon making the following findings on the record:

(1) Substance abuse was an underlying factor in the commission of the crime;

(2) substance abuse treatment with a possibility of an early release from imprisonment is likely to be more effective than a prison term in reducing the risk of offender recidivism; and

(3) participation in an intensive substance abuse treatment program with the possibility of an early release from imprisonment will serve community safety interests by promoting offender reformation.

The intensive substance abuse treatment program shall be determined by the secretary of corrections, but shall be for a period of at least four months. Upon the successful completion of such intensive treatment program, the offender shall be returned to the court and the court may modify the sentence by directing that a less severe penalty be imposed in lieu of that originally adjudged within statutory limits. If the offender's term of imprisonment expires, the offender shall be placed under the applicable period of postrelease supervision. The sentence under this subsection shall not be considered a departure and shall not be subject to appeal.

(q) As used in this section, an "optional nonprison sentence" is a sentence which the court may impose, in lieu of the presumptive sentence, upon making the following findings on the record:

(1) An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and

(2) the recommended treatment program is available and the offender can be admitted to such program within a reasonable period of time; or

(3) the nonprison sanction will serve community safety interests by promoting offender reformation.

Any decision made by the court regarding the imposition of an optional nonprison sentence shall not be considered a departure and shall not be subject to appeal.

(r) The sentence for a violation of K.S.A. 2016 Supp. 21-5413(c)(2), and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(s) The sentence for a violation of K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(t) (1) If the trier of fact makes a finding beyond a reasonable doubt that an offender wore or used ballistic resistant material in the commission of, or attempt to commit, or flight from any felony, in addition to the sentence imposed pursuant to the Kansas sentencing guidelines act, the offender shall be sentenced to an additional 30 months' imprisonment.

(2) The sentence imposed pursuant to subsection (t)(1) shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(3) As used in this subsection, "ballistic resistant material" means: (A) Any commercially produced material designed with the purpose of providing ballistic and trauma protection, including, but not limited to, bulletproof vests and kevlar vests; and (B) any homemade or fabricated substance or item designed with the purpose of providing ballistic and trauma protection.

(u) The sentence for a violation of K.S.A. 2016 Supp. 21-6107, and amendments thereto, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit such offense, when such person being sentenced has a prior conviction for a violation of K.S.A. 21-4018, prior to its repeal, or K.S.A. 2016 Supp. 21-6107, and amendments thereto, or any attempt or

conspiracy to commit such offense, shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(v) The sentence for a third or subsequent violation of K.S.A. 8-1568, and amendments thereto, shall be presumptive imprisonment and shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(w) The sentence for aggravated criminal damage to property as defined in K.S.A. 2016 Supp. 21-5813(b), and amendments thereto, when such person being sentenced has a prior conviction for any nonperson felony shall be presumptive imprisonment. Such sentence shall not be considered a departure and shall not be subject to appeal.

(x) The sentence for a violation of K.S.A. 2016 Supp. 21-5807(a)(1), and amendments thereto, shall be presumptive imprisonment if the offense under such paragraph is classified in grid blocks 7-C, 7-D or 7-E. Such sentence shall not be considered a departure and shall not be subject to appeal.

(y) (1) Except as provided in subsection (y)(3), if the trier of fact makes a finding beyond a reasonable doubt that an offender committed a nondrug felony offense, or any attempt or conspiracy, as defined in K.S.A. 2016 Supp. 21-5301 and 21-5302, and amendments thereto, to commit a nondrug felony offense, against a law enforcement officer, as defined in K.S.A. 2016 Supp. 21-5111(p)(1) and (3), and amendments thereto, while such officer was engaged in the performance of such officer's duty, or in whole or in any part because of such officer's status as a law enforcement officer, the sentence for such offense shall be:

(A) If such offense is classified in severity level 2 through 10, one severity level above the appropriate level for such offense; and

(B) (i) if such offense is classified in severity level 1, except as otherwise provided in subsection (y)(1)(B)(ii), imprisonment for life, and such offender shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, such offender shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(ii) The provisions of subsection (y)(1)(B)(i) requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the offender, because of the offender's criminal history classification, is subject to presumptive imprisonment and the sentencing range exceeds 300 months. In such case, the offender is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(2) The sentence imposed pursuant to subsection (y)(1) shall not be considered a departure and shall not be subject to appeal.

(3) The provisions of this subsection shall not apply to an offense described in subsection (y)(1) if the factual aspect concerning a law enforcement officer is a statutory element of such offense.";

On page 11, following line 19, by inserting:

"Sec. 9. K.S.A. 22-3504 is hereby amended to read as follows: 22-3504. (1) The court may correct an illegal sentence at any time. The defendant shall receive full credit for time spent in custody under the sentence prior to correction. Unless the motion and the files and records of the case conclusively show that the defendant is

entitled to no relief, the defendant shall have a right to a hearing, after reasonable notice to be fixed by the court, to be personally present and to have the assistance of counsel in any proceeding for the correction of an illegal sentence.

(2) Clerical mistakes in judgments, orders or other parts of the record and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court orders.

(3) "Illegal sentence" means a sentence: Imposed by a court without jurisdiction; that does not conform to the applicable statutory provision, either in character or punishment; or that is ambiguous with respect to the time and manner in which it is to be served at the time it is pronounced. A sentence is not an "illegal sentence" because of a change in the law that occurs after the sentence is pronounced.

Sec. 10. K.S.A. 2016 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 2016 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2016 Supp. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2016 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D) (vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2016 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A.

2016 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2016 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

(a) Written briefs or oral arguments submitted by either the defendant or the state;

(b) any evidence received during the proceeding;

(c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 2016 Supp. 21-6813(e), and amendments thereto; and

(d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2016 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2016 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease

supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G)(i) Except as provided in subsection (u), persons ~~convicted of sentenced to imprisonment for~~ a sexually violent crime committed on or after July 1, 2006, ~~when the offender was 18 years of age or older,~~ and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(ii) Persons sentenced to imprisonment for a sexually violent crime committed on or after the effective date of this act, when the offender was under 18 years of age, and who are released from prison, shall be released to a mandatory period of postrelease supervision for 60 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto; or

(M) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to

fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal

custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle,

residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In

determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 2016 Supp. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2016 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole

or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.";

Also on page 11, in line 20, before "K.S.A." by inserting "K.S.A. 22-3504 and"; also in line 20, by striking "is" and inserting "and 22-3717 are"; in line 23, after "5709" by inserting ", 21-6412, 21-6414, 21-6804";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the second semicolon by inserting "cruelty to animals; unlawful conduct of dog fighting; sentencing for crimes committed against a law enforcement officer;"; also in line 5, after the fourth semicolon by inserting "post-trial motions, correction of sentence; postrelease supervision; persons convicted of a sexually violent crime;"; in line 6, after "amending" by inserting "K.S.A. 22-3504 and"; also in line 6, by striking "and" and inserting ", 21-6412, 21-6414, 21-6804,"; in line 7, after "2410" by inserting "and 22-3717";

And your committee on conference recommends the adoption of this report.

BLAINE FINCH
 FRED PATTON
 JOHN CARMICHAEL
Conferees on part of House

RICHARD E. WILBORN
 JULIA LYNN
 DAVID HALEY
Conferees on part of Senate

On motion of Rep. Finch to adopt the Conference Committee Report on **SB 112**, Rep. Miller raised a point of order questioning House Rule 3(f). Speaker pro tem Schwab ruled the motion to adopt the Conference Committee Report was in order. Rep. Miller challenged the ruling of the Chair. The ruling of the Chair was sustained and the Conference Committee Report was adopted.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Finney, Henderson, Highberger, Ohaebosim, Ousley, Ruiz, Victors,

Winn.

Present but not voting: None.

Absent or not voting: Good.

EXPLANATIONS OF VOTE

MR. SPEAKER: While I support the majority of the provisions of this bill, I take exception to the Conference Committee Report on **SB 112** because it establishes special protections for law enforcement officers and gives them preferential treatment that is not enjoyed by other citizens who are victimized because of their status. Furthermore, I object to the bundling of ten-plus bills. This is not democracy when we are forced to vote in this manner. I strongly vote NO on the Conference Committee Report on **SB 112**. – GAIL FINNEY, VALDENIA WINN, PONKA-WE VICTORS, BRODERICK HENDERSON, KC OHAEBOSIM, JOHN ALCALA, LOUIS RUIZ, DENNIS “BOOG” HIGHBERGER, JARROD OUSLEY

Mr. Speaker: While I vote yes on the Conference Committee Report on SB 112, I have concerns and remain unsure of the true purpose and need certain pieces of this legislation. I am not in favor of cruelty to animals or dog fighting, but, I am suspicious of this bill because the primary proponent is an organization known for promoting causes critical of and harmful to animal agriculture. – Ken Rahjes, Kyle D. Hoffman

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2424, AN ACT concerning property taxation; relating to cities and counties, approval of budgets with increased property tax revenues, election requirements, exception for certain employee benefits; amending K.S.A. 2016 Supp. 79-2925c and repealing the existing section, by Committee on Taxation.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Wednesday, May 3, 2017.

Journal of the House

SIXTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 3, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 125 members present.

Excused later: Rep. Carpenter

Prayer by Chaplain Brubaker:

Almighty Lord God,
we are grateful for Your faithfulness,
guidance and presence in our lives.
May we always humbly follow Your wise leading.
As difficult decisions are being made,
help each one to turn to You.
You never slumber or sleep
and are always ready to impart Your wisdom and holy judgment.
In these next few days,
when it may become easy to become impatient
while waiting for the right decisions,
help all of them to seek You and wait upon You.
Give strength to each one as they do the work
You have called them to do.
Help them work together for the common good
and be willing to reach across lines to be
Your hands and feet in a state that desperately needs Your help.
Remind each one that in You there is hope.
And whether they lean to the left or to the right,
help them hear that still small voice of Yours saying,
“this is the way; walk in it.”
I pray this in Christ’s Name, Amen.
(Isaiah 31:21)

The Pledge of Allegiance was led by Rep. Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2423, SB 201.**

Taxation: **HB 2421, HB 2422, HB 2424.**

MESSAGES FROM THE SENATE

The Senate not adopts the Conference Committee report on **HB 2041**, requests a conference and appoints Senators Wilborn, Lynn and Haley as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2096, H Sub for SB 42, HB 2041**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **HB 2041**.

Speaker Ryckman thereupon appointed Reps. Finch, F. Patton and Carmichael as second conferees on the part of the House.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2184, AN ACT concerning economic development; relating to the STAR bonds financing act; historic theater project costs; establishment of district; adverse effects on county or school district; certain notices; approval for transient guest tax funding; sunset date of the act; amending K.S.A. 2016 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171, 12-17,177 and 12-17,179 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 11; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Corbet, DeGraaf, Delperdang, Dove, Esau, Garber, Hawkins, Highland, Jacobs, K. Jones.

Present but not voting: None.

Absent or not voting: Clark, Huebert.

The bill passed.

EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2184**. I recognize that STAR Bonds are a valuable economic tool. But I cannot in good conscience vote for tax breaks for large corporations when we are contemplating taking away the only tax break we have for small business, the LLC tax break. – KEITH ESAU, PETE DEGRAAF, KEVIN JONES

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 42** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 42, as follows:

On page 1, following line 14, by inserting:

"New Section 1. The state board of education shall:

(a) Implement statewide standards that assure all public school teachers annually receive training and education on identifying likely warning signs indicating that a child may be a victim of sexual abuse;

(b) review and consider statewide social and emotional standards for student education that inform students of the difference between appropriate and inappropriate conduct, actions a child may take to be protected from child sexual abuse and methods for reporting any instance of abuse. The review may include, but not necessarily be limited to:

(1) The age of the students to receive the instruction;

(2) requirements for parental notification and the ability for a parent to exclude a child from such instruction;

(3) best practices in instructional content and delivery methods to achieve desired educational outcome; and

(4) collaboration with subject matter experts and child advocates; and

(c) submit a report of progress and any plan or standards developed with regard to those items listed in subsections (a) and (b) by February 1, 2018, to the legislature.";

On page 4, in line 10, by striking "or" and inserting "and"; in line 11, by striking all after "(B)"; in line 12, by striking "(2)"; in line 13, before the period, by inserting "; or

(2) has absconded from supervision";

On page 23, following line 20, by inserting:

"Sec. 13. K.S.A. 2016 Supp. 38-2398 is hereby amended to read as follows: 38-2398. (a) For purposes of determining release of a juvenile from probation, the supreme court, in consultation with the department of corrections, shall establish rules for a system of earned discharge for juvenile probationers to be applied by all community supervision officers. A probationer shall be awarded earned discharge credits while on probation for each full calendar month of compliance with terms of supervised probation pursuant to the rules developed by the supreme court.

(b) The state of Kansas, the secretary of corrections, the secretary's agents or employees, the office of judicial administration and court services officers shall not be liable for damages caused by any negligent or wrongful act or omission in making the earned discharge credit calculations authorized by this section.";

On page 30, in line 12, by striking the first comma and inserting "and"; in line 14,

after the fourth comma by inserting "38-2398,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "to" by inserting "training and instruction about child sexual abuse;"; in line 9, by striking the first comma and inserting "and"; in line 11, after the second comma by inserting "38-2398,";

And your committee on conference recommends the adoption of this report.

RUSS JENNINGS

JOHN R. WHITMER

DENNIS "BOOG" HIGHBERGER

Conferees on part of House

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Jennings, the conference committee report on **H Sub for SB 42** was adopted.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Garber, Jacobs, K. Jones.

Present but not voting: None.

Absent or not voting: Huebert.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2096** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, following line 31, by inserting:

"New Sec. 2. The portion of United States highway 75 from the northern border of

Woodson county, then south on United States highway 75 to the northern city limits of the city of Yates Center is hereby designated as the Eldon K Miller memorial highway. Upon compliance with K.S.A. 2016 Supp. 68-10,114, and amendments thereto, the secretary of transportation shall place highway signs along the highway right-of-way at proper intervals to indicate that the highway is the Eldon K Miller memorial highway.

Sec. 3. K.S.A. 2016 Supp. 68-1051 is hereby amended to read as follows: 68-1051. The portion of United States highway 75 where it enters the state on the Kansas-Nebraska border on the north then south to the junction with K-9, then south from the junction of K-9 with K-62 to the junction of K-62 with K-16 then east to the junction with United States highway 75 then south on United States highway 75 to the southern city limits of Holton, then from the junction of United States highway 75 and N.W. 46th street in Shawnee county then south on United States highway 75 to the southern boundary of Osage county, then from the northern ~~boundary of Woodson county city limits of the city of Yates Center~~ south on United States highway 75 to ~~the~~ northern interchange with United States highway 400, then south from the southern interchange with United States highway 400 to the Kansas-Oklahoma border, is hereby designated the purple heart/combat wounded veterans highway. The secretary of transportation shall place markers along the highway right-of-way at proper intervals to indicate that the highway is the purple heart/combat wounded veterans highway. The secretary of transportation may accept and administer gifts and donations to aid in obtaining suitable highway signs bearing the proper approved inscription.";

Also on page 1, in line 32, after "Supp." by inserting "68-1051 and"; also in line 32, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "regulating traffic" and inserting "concerning roads and highways"; in line 2, after the semicolon by inserting "designating a portion of United States highway 75 as the Eldon K Miller memorial highway"; also in line 2, after "Supp." by inserting "68-1051 and"; in line 3, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

MIKE PETERSEN

DON DOLL

PAT PETTEY

Conferees on part of Senate

RICHARD J. PROEHL

SHANNON FRANCIS

Conferees on part of House

On motion of Rep. Proehl, the conference committee report on **HB 2096** was adopted.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: DeGraaf, Delperdang, R. Powell, Schwab, Vickrey.

Present but not voting: None.

Absent or not voting: Huebert.

REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **HB 2380** be passed.

On motion of Rep. Hineman, the House recessed until 1:15 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Finney are spread upon the Journal.

Today I have the honor of introducing Ms. Kansas Teen 2017 & Ms. Wichita 2016, Brillian Lengeju, daughter of Namelokai Sein Lengeju, to the House of Representatives. She is a freshman honor roll student at Trinity Academy with a goal of graduating high school with a 4.0 GPA and attending NYU with a double major in music and business.

She has an impressive resume for a 14 year old. She was the 2016 Boys and Girls Club Leadership winner, a Kansas Legislative Youth Leadership Award winner, a Keep Girls Safe Foundation Leadership winner, two times Statewide Talent Winner, two times Statewide Spokes Model winner, three times Spirit Award winner, two times National Qualifier for Pageant Nominee, a Jesture Ensemble (i.e. Theater) nominee and Student Worship Leader at Maranatha Worship Center. She has many talents including singing, dancing, speaking and multi-lingual.

Her Kansas Teen Platform is to supply adolescents living in poverty with hygiene products, primarily females with feminine hygiene products.

Her International Kansas Teen Platform "From Kansas to Kenya" is to supply girls in third world countries with feminine hygiene products.

On motion of Rep. Hineman, the House recessed until 4:30 p.m

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 112**.

The Senate concurs in House amendments to **SB 205**, and requests return of the bill.

The Senate adopts the Conference Committee report on **S Sub for HB 2053**.

The Senate adopts the Conference Committee report on **HB 2301**.

Announcing passage of **HB 2356**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 16**, **SB 149**, **SB 30**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 16** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 14, following line 15, by inserting:

"Sec. 4. On and after January 1, 2018, K.S.A. 2016 Supp. 40-221a is hereby amended to read as follows: 40-221a. (a) ~~Any insurance company organized under the laws of this state may (1) with the consent of the commissioner of insurance, cede all of its risks to any other solvent insurance company authorized to transact business in this state or accept all of the risks of any other company, (2) accept all or any part of an individual risk or all or any part of a particular class of risks which it is authorized to insure, and (3) cede all or any part of an individual risk or all or any part of a particular class of risks to another solvent insurer or insurers having the power to accept such reinsurance.~~

~~(b) Any insurance company organized under the laws of this state may take credit as an asset or as a deduction from loss and unearned premium reserves on such ceded risks to the extent reinsured by an insurer or insurers authorized to transact business in this state, but such credit on ceded risks reinsured by any insurer which is not authorized to transact business in this state may be taken in an amount not exceeding:~~

~~(1) The amount of deposits by, and funds withheld from, the assuming insurer pursuant to express provision therefor in the reinsurance contract, as security for the payment of the obligations thereunder, if such deposits or funds are held subject to~~

withdrawal by, and under the control of, the ceding insurer or are placed in trust for such purposes in a qualified United States financial institution, if withdrawals from such trust cannot be made without the consent of the ceding company;

(2) the amount of a clean and irrevocable letter of credit issued by a qualified United States financial institution if such letter of credit is initially issued for a term of at least one year and by its terms is automatically renewed at each expiration date for at least an additional one-year term unless at least 30 days prior written notice of intention not to renew is given to the ceding company by the issuing qualified United States financial institution or the assuming company and provided that such letter of credit is issued under arrangements satisfactory to the commissioner of insurance as constituting security to the ceding insurer substantially equal to that of a deposit under paragraph (1) of this subsection; or

(3) the amount of loss and unearned premium reserves on such ceded risks to an assuming insurer which maintains a trust fund in a qualified United States financial institution, as defined in (b)(3)(D), for the payment of the valid claims of its United States ceding insurers, their assigns and successors in interest. The assuming insurer shall report annually to the commissioner information substantially the same as that required to be reported on the national association of insurance commissioners annual statement form by licensed insurers to enable the commissioner to determine the sufficiency of the trust fund. In the case of a single assuming insurer, the trust shall consist of a trusteed account representing the assuming insurer's liability attributable to business written in the United States and, in addition, the assuming insurer shall maintain a trusteed surplus of not less than \$20,000,000. In the case of a group including incorporated and individual unincorporated underwriters, the trust shall consist of a trusteed account representing the group's liabilities attributable to business written in the United States and, in addition, the group shall maintain a trusteed surplus of which \$100,000,000 shall be held jointly for the benefit of United States ceding insurers of any member of the group; the incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of solvency regulation and control by the group's domiciliary regulator as are the unincorporated members; and the group shall make available to the commissioner an annual certification of the solvency of each underwriter by the group's domiciliary regulator and its independent public accountants.

(A) Such trust must be in a form approved by the commissioner of insurance. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to its assets in the trustees of the trust for its United States ceding insurers, their assigns and successors in interest. The trust and the assuming group or insurer shall be subject to examination as determined by the commissioner. The trust, described herein, must remain in effect for as long as the assuming group or insurer shall have outstanding obligations due under the reinsurance agreements subject to the trust.

(B) No later than February 28 of each year the trustees of the trust shall report to the commissioner in writing setting forth the balance of the trust and listing the trust's investments at the preceding year end and shall certify the date of termination of the trust, if so planned, or certify that the trust shall not expire prior to the next following December 31.

(C) ~~The credit authorized under subsection (b)(3) shall not be allowed unless the assuming group or insurer agrees in the reinsurance agreements:~~

~~(i) That in the event of the failure of the assuming group or insurer to perform its obligations under the terms of the reinsurance agreement, the assuming group or insurer, at the request of the ceding insurer, shall submit to the jurisdiction of any court of competent jurisdiction in any state of the United States, will comply with all requirements necessary to give such court jurisdiction, and will abide by the final decision of such court or of any appellate court in the event of an appeal; and~~

~~(ii) to designate the commissioner or a designated attorney as its true and lawful attorney upon whom may be served any lawful process in any action, suit or proceeding instituted by or on behalf of the ceding company;~~

~~(iii) This provision is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if such an obligation to do so is created in the agreement.~~

(D) (i) For the purposes of paragraphs (1) and (3) of subsection (b), a "qualified United States financial institution" means, for purposes of those provisions of this law specifying those institutions that are eligible to act as a fiduciary of a trust, an institution that:

~~(aa) Is organized, or (in the case of a U.S. branch or agency office of a foreign banking organization) licensed, under the laws of the United States or any state thereof and has been granted authority to operate with fiduciary powers; and~~

~~(bb) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.~~

~~(ii) For the purposes of paragraph (2) of subsection (b), "qualified United States financial institution" means, for the purpose of those provisions of this law specifying those institutions that are eligible to issue a letter of credit, an institution that:~~

~~(aa) Is organized or (in the case of a United States office of a foreign banking organization) licensed, under the laws of the United States or any state thereof;~~

~~(bb) is regulated, supervised and examined by United States federal or state authorities having regulatory authority over banks and trust companies; and~~

~~(cc) has been determined by the insurance commissioner to meet such standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.~~

~~In making determinations under this clause, the commissioner may consult with the securities valuation office of the national association of insurance commissioners.~~

(e) ~~No credit shall be allowed, as an admitted asset or deduction from liability, to any ceding insurer organized under the laws of this state for reinsurance, unless the reinsurance contract provides, in substance, that in the event of the insolvency of the ceding insurer, the reinsurance shall be payable under a contract reinsured by the assuming insurer on the basis of the liability of the ceding company under the contract or contracts reinsured, as approved by the liquidation court, without diminution because of the insolvency of the ceding company. Any reinsurance agreement entered into with a domestic insurer which may be canceled on less than 90 days' notice, and which cancellation would constitute a material cancellation as defined by K.S.A. 40-2-156a, and amendments thereto, must provide in the reinsurance agreement, in substance, for a run-off of the reinsurance in force at the date of cancellation, unless the agreement is~~

~~canceled for nonpayment of premium or fraud in the inducement. Reinsurance payments shall be made directly to the ceding insurer or to its domiciliary liquidator except: (1) Where the reinsurance contract or policy reinsured specifically provides another payee of such reinsurance in the event of the insolvency of the ceding insurer; or (2) where the assuming insurer, with the consent of the direct insured, has assumed such policy obligations of the ceding insurer as direct obligations of the assuming insurer to the payees under such policies and in substitution for the obligations of the ceding insurer to such payees.~~

~~(d) The reinsurance agreement may provide that the domiciliary liquidator of an insolvent ceding insurer shall give written notice to the assuming insurer of the pendency of a claim against such ceding insurer on the contract reinsured within a reasonable time after such claim is filed in the liquidation proceeding. During the pendency of such claim, any assuming insurer may investigate such claim and interpose, at its own expense, in the proceeding where such claim is to be adjudicated any defenses which it deems available to the ceding insurer, or its liquidator. Such expense may be filed as a claim against the insolvent ceding insurer to the extent of a proportionate share of the benefit which may accrue to the ceding insurer solely as a result of the defense undertaken by the assuming insurer. Where two or more assuming insurers are involved in the same claim and a majority in interest elect to interpose a defense to such claim, the expense shall be apportioned in accordance with the terms of the reinsurance agreement as though such expense had been incurred by the ceding insurer. Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of paragraphs (1), (2), (3), (4), (5) or (6). Credit shall be allowed under paragraphs (1), (2) or (3) of this subsection only as respects cessions of those kinds or classes of business that the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a United States branch of an alien assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed only under paragraphs (3) or (4) of this subsection if the applicable requirements of paragraph (7) have been satisfied.~~

(1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in this state.

(2) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the commissioner as a reinsurer in this state. In order to be eligible for accreditation, an assuming insurer must:

(A) File with the commissioner evidence of the assuming insurer's submission to this state's jurisdiction;

(B) submit to this state's authority to examine the assuming insurer's books and records;

(C) be licensed to transact insurance or reinsurance in at least one state, or in the case of a United States branch of an alien assuming insurer, be entered through and licensed to transact insurance or reinsurance in at least one state;

(D) file annually with the commissioner a copy of the assuming insurer's annual statement filed with the insurance department of the assuming insurer's state of domicile and a copy of the assuming insurer's most recent audited financial statement; and

(E) demonstrate to the satisfaction of the commissioner that it has adequate

financial capacity to meet the assuming insurer's reinsurance obligations and is otherwise qualified to assume reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of the assuming insurer's application if it maintains a surplus as regards policyholders in an amount not less than \$20,000,000 and its accreditation has not been denied by the commissioner within 90 days after submission of its application.

(3) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or in the case of a United States branch of an alien assuming insurer is entered through, a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute and the assuming insurer or United States branch of an alien assuming insurer:

(i) Maintains a surplus as regards policyholders in an amount not less than \$20,000,000; and

(ii) submits to the authority of this state to examine the assuming insurer's books and records.

(B) The requirement of subsection (a)(3)(A)(i) does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

(4) (A) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified United States financial institution, as defined in subsection (c)(2), for the payment of the valid claims of the assuming insurer's United States ceding insurers, their assigns and successors in interest. To enable the commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the commissioner information substantially the same as that required to be reported on the national association of insurance commissioners annual statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the commissioner and bear the expense of examination:

(B) (i) credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by either of the following:

(a) The commissioner of the state where the trust is domiciled; or

(b) the commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

(ii) The form of the trust and any trust amendments also shall be filed with the commissioner of every state in which the ceding insurer's beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to the trust's assets in its trustees for the benefit of the assuming insurer's United States ceding insurers, their assigns and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the commissioner.

(iii) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year, the trustee of the trust shall report to the commissioner in writing the balance of the trust and the listing of the trust's investments at the preceding year-end and shall certify the date of termination of the trust, if so.

planned, or certify that the trust will not expire prior to the following December 31.

(C) The following requirements apply to the following categories of the assuming insurer:

(i) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers, and, in addition, the assuming insurer shall maintain a trustee surplus of not less than \$20,000,000, except as provided in subsection (a)(4)(C) (ii).

(ii) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least three full years, the commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trustee surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of United States ceding insurers, policyholders and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and shall consider all material risk factors, including, when applicable, the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or solvency. The minimum required trustee surplus shall not be reduced to an amount less than 30% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers covered by the trust:

(iii) (a) in the case of a group including incorporated and individual unincorporated underwriters, all of the following requirements are met:

(1) For reinsurance ceded under reinsurance agreements with an inception, amendment or renewal date on or after January 1, 1993, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several liabilities attributable to business ceded by United States domiciled ceding insurers to any underwriter of the group:

(2) for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992, and not amended or renewed after that date, notwithstanding the other provisions of this act, the trust shall consist of a trustee account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

(3) in addition to the trusts described in subsections (a)(4)(B)(iii)(a)(1) and (a)(4)(B)(iii)(a)(2), the group shall maintain in trust a trustee surplus of which \$100,000,000 shall be held jointly for the benefit of the United States domiciled ceding insurers of any member of the group for all years of account.

(b) The incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members of the group; and

(c) within 90 days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the commissioner an annual certification by the group's domiciliary regulator of the solvency of each underwriter member, or if a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the group.

(iv) In the case of a group of incorporated underwriters under common

administration, the group shall meet all of the following requirements:

(a) Have continuously transacted an insurance business outside the United States for at least three years immediately prior to making application for accreditation;

(b) maintain an aggregate policyholders' surplus of at least \$10,000,000,000;

(c) maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by United States domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

(d) in addition, maintain a joint trustee surplus of which \$100,000,000 shall be held jointly for the benefit of United States domiciled ceding insurers of any member of the group as additional security for these liabilities; and

(e) within 90 days after the group's financial statements are due to be filed with the group's domiciliary regulator, make available to the commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

(5) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the commissioner as a reinsurer in this state and the reinsurer secures its obligations in accordance with the following requirements:

(A) In order to be eligible for certification, the assuming insurer shall meet all of the following requirements:

(i) Be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the commissioner pursuant to subsection (a)(5)(C);

(ii) maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the commissioner pursuant to regulation;

(iii) maintain financial strength ratings from two or more rating agencies deemed acceptable by the commissioner pursuant to regulation;

(iv) agree to submit to the jurisdiction of this state, appoint the commissioner as the assuming insurer's agent for service of process in this state, and agree to provide security for 100% of the assuming insurer's liabilities attributable to reinsurance ceded by United States ceding insurers if the assuming insurer resists enforcement of a final United States judgment;

(v) agree to meet applicable information filing requirements as determined by the commissioner, both with respect to an initial application for certification and on an ongoing basis; and

(vi) satisfy any other requirements for certification deemed relevant by the commissioner.

(B) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible for certification, in addition to satisfying the requirements of subsection (a)(5)(A) and all of the following requirements:

(i) The association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents, net of liabilities, of the association and its members, which shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the commissioner to provide adequate protection;

(ii) the incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to

the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members of the association; and

(iii) within 90 days after the association's financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member. If a certification is unavailable, financial statements prepared by independent public accountants of each underwriter member of the association shall be provided instead.

(C) The commissioner shall create and publish a list of qualified jurisdictions under which an assuming insurer licensed and domiciled in such jurisdiction is eligible to be considered for certification by the commissioner as a certified reinsurer.

(i) In order to determine whether the domiciliary jurisdiction of a non-United States assuming insurer is eligible to be recognized as a qualified jurisdiction, the commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the non-United States jurisdiction to reinsurers licensed and domiciled in the United States. In order to be recognized as a qualified jurisdiction, a jurisdiction must agree to share information and cooperate with the commissioner with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction shall not be recognized as a qualified jurisdiction if the commissioner has determined that the jurisdiction does not adequately and promptly enforce final United States judgments and arbitration awards. Additional factors may be considered in the discretion of the commissioner.

(ii) A list of qualified jurisdictions shall be published through the national association of insurance commissioners' process. The commissioner shall consider this list in determining qualified jurisdictions. If the commissioner recognizes a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under rules and regulations.

(iii) United States jurisdictions that meet the requirement for accreditation under the national association of insurance commissioners' financial standards and accreditation program shall be recognized as qualified jurisdictions.

(iv) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

(D) The commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the commissioner pursuant to rules and regulations. The commissioner shall publish a list of all certified reinsurers and their ratings.

(E) A certified reinsurer shall secure obligations assumed from United States ceding insurers under this subsection at a level consistent with the certified reinsurer's rating, as specified in rules and regulations promulgated by the commissioner.

(i) In order for a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer shall maintain security in a form acceptable to the commissioner and consistent with the provisions of subsection (b), or in a multi-beneficiary trust in accordance with subsection (a)(4), except as otherwise provided in this subsection.

(ii) If a certified reinsurer maintains a trust to fully secure its obligations subject to subsection (a)(4), and chooses to secure its obligations incurred as a certified reinsurer in the form of a multi-beneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other United States jurisdictions and for its obligations subject to subsection (a)(4). It shall be a condition to the grant of certification under subsection (a)(5) that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the commissioner who has principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, any deficiency of any other such trust account out of the remaining surplus of the terminated trust account.

(iii) The minimum trustee surplus requirements provided in subsection (a)(4) are not applicable with respect to a multi-beneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trustee surplus of \$10,000,000.

(iv) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the commissioner shall reduce the allowable credit by an amount proportionate to the deficiency, and the commissioner has the discretion to impose further reductions in allowable credit upon finding there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(v) For purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure 100% of its obligations.

(a) As used in this paragraph, the term "terminated" includes revocation, suspension, voluntary surrender and inactive status.

(b) If the commissioner continues to assign a higher rating as permitted by other provisions of this subsection, this requirement does not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(F) If an assuming insurer applying for certification as a reinsurer in this state has been certified as a reinsurer in an another jurisdiction accredited by the national association of insurance commissioners, the commissioner has the discretion to defer to that jurisdiction's certification, and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in this state.

(G) A certified reinsurer that ceases to assume new business in this state may request to maintain the reinsurer's certification in inactive status in order to continue to qualify for a reduction in amount of security required for the reinsurer's in force business. An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection, and the commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

(6) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that does not meet the requirements of subsections (a)(1) through (a)(5), but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

(7) If the assuming insurer is not licensed, accredited or certified to transact insurance or reinsurance in this state, the credit permitted by subsections (a)(3) and (a)(4) of this section shall not be allowed, unless the assuming insurer agrees in the

reinsurance agreement to do all of the following:

(A) (i) In the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, will: Submit to the jurisdiction of any court of competent jurisdiction in any state of the United States; comply with all requirements necessary to give the court jurisdiction; and abide by the final decision of the court or of any appellate court in the event of an appeal; and

(ii) the assuming insurer will designate the commissioner or a designated attorney as its true and lawful attorney to receive lawful process in any action, suit or proceeding instituted by or on behalf of the ceding insurer.

(B) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if the obligation is created in the agreement.

(8) If the assuming insurer does not meet the requirements of subsection (a)(1), (a)(2) or (a)(3), the credit permitted by subsection (a)(4) or (a)(5) shall not be allowed unless the assuming insurer agrees in a trust agreement to the following conditions:

(A) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because the trust fund contains an amount less than the amount required by subsection (a)(4)(C), or if the grantor of the trust has been declared insolvent or has been placed into receivership, rehabilitation, liquidation or similar proceedings under the laws of the trust's state or country of domicile, the trustee shall comply with an order of the commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer all of the assets of the trust fund to the commissioner with regulatory oversight over the trust.

(B) The assets shall be distributed and claims shall be filed with and valued by the commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

(C) If the commissioner with regulatory oversight over the trust determines that the assets of the trust fund or any part of the trust fund are not necessary to satisfy the claims of the United States ceding insurers of the grantor of the trust, the assets of the trust or part of those assets shall be returned by the commissioner with regulatory oversight over the trust to the trustee for distribution in accordance with the trust agreement.

(D) The grantor shall waive any right otherwise available to it under United States law that is inconsistent with the provisions of this subsection.

(9) Credit for reinsurance ceded to a certified reinsurer is limited to reinsurance contracts entered or renewed on or after the effective date of the certification of the assuming insurer by the commissioner.

(10) If an accredited or certified reinsurer ceases to meet the requirements of this section for accreditation or certification, the commissioner may suspend or revoke the reinsurer's accreditation or certification.

(A) The commissioner shall give the reinsurer notice and opportunity for a hearing prior to such suspension or revocation. The suspension or revocation shall not take effect until after the commissioner's order on hearing, unless one of the following applies:

(i) The reinsurer waives its right to a hearing;

(ii) the commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or by the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under subsection (a)(5)(F); or

(iii) the commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the commissioner's action.

(B) While a reinsurer's accreditation or certification is suspended, a reinsurance contract issued or renewed after the effective date of the suspension does not qualify for credit, except to the extent that the reinsurer's obligations under the reinsurance contract are secured in accordance with subsection (b). If a reinsurer's accreditation or certification is revoked, credit for reinsurance shall not be granted after the effective date of the revocation, except to the extent that the reinsurer's obligations under the contract are secured in accordance with subsection (a)(5)(A) or (a)(5)(B).

(11) (A) A domestic ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the commissioner within 30 days after reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds 50% of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(B) A domestic ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than 20% of the ceding insurer's gross written premium in the prior calendar year, or after the domestic ceding insurer has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(b) An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of subsection (a) shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer. The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations under the contract, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer; or, in the case of a trust, held in a qualified United States financial institution, as defined in subsection (c)(2). The security may be in the form of any of the following:

(1) Cash;

(2) a security listed by the securities valuation office of the national association of insurance commissioners, including those securities deemed exempt from filing as defined by the purposes and procedures manual of the national association of insurance commissioners investment analysis office, and qualifying as admitted assets;

(3) (A) clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified United States financial institution, as defined in subsection (c)(1), effective no later than December 31 of the year for which the filing is being made, and in the

possession of, or in trust for, the ceding insurer on or before the filing date of the ceding insurer's annual statement; or

(B) a letter of credit meeting applicable standards of issuer acceptability as of the date of the letter of credit's issuance, or confirmation, shall, notwithstanding the issuing or confirming, institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be acceptable as security until their expiration, extension, renewal, modification or amendment, whichever first occurs; or

(4) any other form of security acceptable to the commissioner.

(c) (1) For purposes of subsection (b)(3), a "qualified United States financial institution" means an institution that meets all of the following requirements:

(A) Is organized or, in the case of a United States office of a foreign banking organization, licensed under the laws of the United States or any state thereof;

(B) is regulated, supervised and examined by United States federal or state authorities having regulatory authority over banks and trust companies; and

(C) has been determined by either the commissioner or the securities valuation office of the national association of insurance commissioners to meet the standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.

(2) For purposes of those provisions of this law specifying those institutions that are eligible to act as a fiduciary of a trust, a "qualified United States financial institution" means an institution that meets all of the following requirements:

(i) Is organized, or in the case of a United States branch or agency office of a foreign banking organization, is licensed under the laws of the United States or any state of the United States and has been granted authority to operate with fiduciary powers; and

(ii) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.

(d) The commissioner is hereby authorized to adopt any rules and regulations necessary to implement the provisions of this law. Such rules and regulations shall be adopted no later than January 1, 2019.

(e) This section shall apply to all cessions under reinsurance contracts that occur on or after January 1, 2018."

Also on page 14, following line 16; by inserting:

"Sec. 6. On and after January 1, 2018, K.S.A. 2016 Supp. 40-221a is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the first semicolon; by striking lines 2 through 4; in line 5, by striking all before the semicolon and inserting "relating to the insurance holding company act; credit for reinsurance; exemption of certain service contracts from regulation as insurance"; also in line 5, after "40-201a" by inserting "and 40-221a"; in line 6, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

JENE VICKREY
 WILLIE DOVE
 CINDY NEIGHBOR
Conferees on part of House

JEFF LONGBINE
 RICK BILLINGER
 LYNN W. ROGERS
Conferees on part of Senate

On motion of Rep. Vickrey, the conference committee report on **SB 16** was adopted.
 Call of the House was demanded.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: B. Carpenter, Holscher.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 149** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, in line 7, before "Section" by inserting "New"; in line 14 before "Sec." by inserting "New";

On page 2, following line 20, by inserting:

"New Sec. 3. (a) On and after the effective date of this act, all of the powers, duties, functions, records and property of the office of the inspector general within the department of health and environment are hereby transferred to the office of inspector general within the office of the attorney general, except as is otherwise provided.

(b) (1) The office of inspector general within the office of the attorney general shall be the successor in every way of the powers, duties and functions of the office of the inspector general within the department of health and environment in which the same were vested prior to the effective date of this act, except as otherwise provided.

(2) Whenever the office of the inspector general within the department of health and environment, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the office of inspector general within the office of the attorney general.

(3) All orders or directives of the office of the inspector general within the department of health and environment in existence on the effective date of this act shall continue to be effective and shall be deemed to be the orders or directives of the office of inspector general within the office of the attorney general, until revised, amended, repealed or nullified pursuant to law.

(c) On the effective date of this act, all unexpended balances of appropriations of the office of the inspector general within the department of health and environment shall be transferred to the office of the attorney general to be used by the office of inspector general within the office of the attorney general to carry out the powers, duties and functions transferred to the office of the inspector general within the office of the attorney general by the provisions of this act.

(d) (1) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any existing state agency mentioned in this act, or by or against any officer of the state in the officer's official capacity or in relation to the discharge of the officer's official duties, shall abate by reason of the taking effect of this act. The court may allow any such suit, action or other proceeding to be maintained by or against the successor of any such existing state agency, or any officer affected.

(2) No criminal action commenced or which could have been commenced by the state shall abate by the taking effect of this act.

(e) Whenever any conflict arises as to the disposition of any power, function or duty or the unexpended balance of any appropriation as a result of any abolishment, transfer, attachment or other change made by this act, or under authority of this act, the conflict shall be resolved by the governor and such decision of the governor shall be final.

Sec. 4. K.S.A. 2016 Supp. 50-6,109a is hereby amended to read as follows: 50-6,109a. (a) The attorney general is hereby given jurisdiction and authority over all matters involving the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act including to:

(1) Employ or appoint agents as necessary to implement, administer and enforce the act;

(2) contract;

(3) expend funds;

(4) license and discipline;

(5) investigate;

(6) issue subpoenas;

(7) keep statistics; and

(8) conduct education and outreach programs to promote compliance with the act.

(b) In accordance with the rules and regulations filing act, the attorney general is

hereby authorized to adopt rules and regulations necessary to implement the provisions of the scrap metal theft reduction act.

(c) There is hereby established in the state treasury the scrap metal theft reduction fee fund to be administered by the attorney general. All moneys received by the attorney general from fees, charges or penalties collected under the provisions of the scrap metal theft reduction act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount thereof in the state treasury to the credit of the scrap metal theft reduction fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee. All moneys credited to the scrap metal theft reduction fee fund shall be expended for the administration of the duties, functions and operating expenses incurred under the provisions of the scrap metal theft reduction act.

(d) ~~Before July~~ January 1, 2016 ~~2019~~, the attorney general shall establish and maintain a database which shall be a central repository for the information required to be provided under K.S.A. 2016 Supp. 50-6,110, and amendments thereto. The database shall be maintained for the purpose of providing information to law enforcement and for any other purpose deemed necessary by the attorney general to implement and enforce the provisions of the scrap metal theft reduction act.

(e) The information required by K.S.A. 2016 Supp. 50-6,110, and amendments thereto, maintained in such database by the attorney general, or by any entity contracting with the attorney general, submitted to, maintained or stored as part of the system shall:

(1) Be confidential, shall only be used for investigatory, evidentiary or analysis purposes related to criminal violations of city, state or federal law and shall only be released to law enforcement in response to an official investigation or as permitted in subsection (d); and

(2) not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

Sec. 5. K.S.A. 2016 Supp. 50-6,109c is hereby amended to read as follows: 50-6,109c. (a) Any scrap metal dealer who violates any of the provisions of the scrap metal theft reduction act, in addition to any other penalty provided by law, may incur a civil penalty imposed pursuant to subsection (b) in an amount not less than \$100 nor more than \$5,000 for each violation.

(b) The attorney general, upon a finding that a scrap metal dealer or any employee or agent thereof or any person or entity required to be registered as a scrap metal dealer has violated any of the provisions of the scrap metal theft reduction act may impose a civil penalty as provided in this subsection upon such scrap metal dealer.

(c) A civil penalty shall not be imposed pursuant to this section except upon the written order of the attorney general to the scrap metal dealer who is responsible for the violation. Such order is a final order for purposes of judicial review and shall state the violation, the penalty to be imposed and the right of such dealer to appeal as provided in the Kansas judicial review act.

(d) ~~This section shall take effect on and after January 1, 2016~~ This section shall be

unenforceable and shall not apply from the effective date of this act to January 1, 2019.

Sec. 6. K.S.A. 2016 Supp. 50-6,110 is hereby amended to read as follows: 50-6,110. (a) It shall be unlawful for any person to sell any item or items of regulated scrap metal to a scrap metal dealer, or employee or agent of a dealer, in this state unless such person meets the requirements of this subsection.

(1) Such person shall present to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following: The seller's name, address, sex, date of birth and the seller's driver's license, military identification card, passport or personal identification license. An official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller.

(2) Such person shall complete and sign the statement provided for in subsection (b)(10).

(b) Every scrap metal dealer shall keep a register in which the dealer, or employee or agent of the dealer, shall at the time of purchase or receipt of any item for which such information is required to be presented, cross-reference to previously received information, or accurately and legibly record at the time of sale the following information:

(1) The time, date and place of transaction;

(2) the seller's name, address, sex, date of birth and the identifying number from the seller's driver's license, military identification card, passport or personal identification license; the identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller;

(3) a copy of the identification card or document containing such identifying number. Failure to comply with the provisions of this paragraph between the effective date of this act and January 1, 2019, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation;

(4) the license number, color and style or make of any motor vehicle in which the junk vehicle or other regulated scrap metal property is delivered in a purchase transaction;

(5) a general description, made in accordance with the custom of the trade, of the predominant types of junk vehicle or other regulated scrap metal property purchased in the transaction;

(6) the weight, quantity or volume, made in accordance with the custom of the trade, of the regulated scrap metal property purchased;

(7) if a junk vehicle or vehicle part is being bought or sold, a description of the junk vehicle or vehicle part, including the make, model, color, vehicle identification number and serial number if applicable;

(8) the price paid for, traded for or dealt for in a transaction for the junk vehicle or other regulated scrap metal property;

(9) the full name of the individual acting on behalf of the regulated scrap metal dealer in making the purchase; and

(10) a signed statement from the seller indicating from where the property was obtained and that: (A) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (B) the seller is acting for the owner and has permission to sell each item. If the seller is not the owner, such statement shall include

the name and address of the owner of the property.

(c) Every scrap metal dealer shall photograph ~~both the seller and~~ the item or lot of items being sold at the time of purchase or receipt of any item for which such information is required to be presented. Such photographs shall be kept with the record of the transaction and the scrap metal dealer's register of information required by subsection (b). Failure to comply with the provisions of this subsection between the effective date of this act and January 1, 2019, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation.

(d) The scrap metal dealer's register of information required by subsection (b), including copies of identification cards and signed statements by sellers, and photographs required by subsection (c) may be kept in electronic format.

(e) Every scrap metal dealer shall forward the information required by this section to the database described in K.S.A. 2016 Supp. 50-6,109a, and amendments thereto.

(f) Notwithstanding any other provision to the contrary, this section shall not apply to transactions in which the seller is a:

- (1) Registered scrap metal dealer;
- (2) vehicle dealer licensed under chapter 8 of the Kansas Statutes Annotated, and amendments thereto; or
- (3) scrap metal dealer or vehicle dealer registered or licensed in another state.

(g) (1) Except as provided in subsection (g)(2), this section shall not apply to transactions in which the seller is known to the purchasing scrap metal dealer to be a licensed business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.

(2) The attorney general may determine, by rules and regulations, which of the requirements of this section shall apply to transactions described in subsection (g)(1).

(h) The amendments made to subsection (e) by section 13 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from the effective date of this act to January 1, 2019.

Sec. 7. K.S.A. 2016 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2016 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2016 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of the scrap metal theft reduction act shall be open at all times to law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to law enforcement officers upon request.

(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2016 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without:

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

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

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

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

- (1) Utility access cover;
- (2) street light poles or fixtures;
- (3) road or bridge guard rails;
- (4) highway or street sign;
- (5) water meter cover;
- (6) traffic directional or traffic control signs;
- (7) traffic light signals;
- (8) any metal marked with any form of the name or initials of a governmental entity;
- (9) property owned and marked by a telephone, cable, electric, water or other utility provider;
- (10) property owned and marked by a railroad;
- (11) funeral markers or vases;
- (12) historical markers;
- (13) bales of regulated metal;
- (14) beer kegs;
- (15) manhole covers;
- (16) fire hydrants or fire hydrant caps;
- (17) junk vehicles with missing or altered vehicle identification numbers;
- (18) real estate signs;
- (19) bleachers or risers, in whole or in part;
- (20) twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge; and
- (21) burnt wire.

(e) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to sell, trade, melt or crush, or in any way dispose of, alter or destroy any regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of weekends and holidays.

(f) Failure to comply with the provisions of this section between the effective date of this act and January 1, 2019, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation.

Sec. 8. K.S.A. 2016 Supp. 50-6,112a is hereby amended to read as follows: 50-

6,112a. (a) A scrap metal dealer shall not purchase any regulated scrap metal without having first registered each place of business with the attorney general as herein provided.

(b) The attorney general shall establish a system for the public to confirm scrap metal dealer registration certificates. Such system shall include a listing of valid registration certificates and such other information collected pursuant to the scrap metal theft reduction act, as the attorney general may determine is appropriate. Disclosure of any information through use of the system established by the attorney general shall not be deemed to be an endorsement of any scrap metal dealer or determination of any facts, qualifications, information or reputation of any scrap metal dealer by the attorney general, the state, or any of their respective agents, officers, employees or assigns.

(c) A registration for a scrap metal dealer shall be verified and upon a form approved by the attorney general and contain:

(1) (A) The name and residence of the applicant, including all previous names and aliases; or

(B) if the applicant is a: Corporation, the name and address of each manager, officer or director thereof, and each stockholder owning in the aggregate more than 25% of the stock of such corporation; or partnership or limited liability company, the name and address of each partner or member;

(2) the length of time that the applicant has resided within the state of Kansas and a list of all residences outside the state of Kansas during the previous 10 years;

(3) the particular place of business for which a registration is desired, the name of the business, the address where the business is to be conducted, the hours of operation and the days of the week during which the applicant proposes to engage in business;

(4) the name of the owner of the premises upon which the place of business is located; and

(5) the applicant shall disclose any prior convictions within 10 years immediately preceding the date of making the registration for: A violation of article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2016 Supp. 21-5801 through 21-5839 or K.S.A. 2016 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2016 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2016 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2016 Supp. 21-5905, and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.

(d) Each registration for a scrap metal dealer to purchase regulated scrap metal shall be accompanied by a fee of not less than \$500 nor more than \$1,500, as prescribed by the attorney general for each particular place of business for which a registration is desired.

(e) The attorney general shall accept a registration for a scrap metal dealer as otherwise provided for herein, from any scrap metal dealer qualified to file such registration, to purchase regulated scrap metals. Such registration shall be issued for a period of one year.

(f) If an original registration is accepted, the attorney general shall grant and issue

renewals thereof upon application of the registration holder, if the registration holder is qualified to receive the same and the registration has not been revoked as provided by law. The renewal fee shall be not more than \$1,500, as prescribed by the attorney general.

(g) Any registration issued under the scrap metal theft reduction act shall not be transferable.

(h) This section shall not apply to a business licensed under the provisions of K.S.A. 8-2404, and amendments thereto, unless such business buys or recycles regulated scrap metal that are not motor vehicle components.

(i) The amendments made to subsections (d) and (f) by section 15 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from the effective date of this act to January 1, 2019.

Sec. 9. K.S.A. 2016 Supp. 50-6,112b is hereby amended to read as follows: 50-6,112b. (a) After examining the information contained in a filing for a scrap metal dealer registration and determining the registration meets the statutory requirements for such registration, the attorney general shall accept such filing and the scrap metal dealer shall be deemed to be properly registered.

(b) No scrap metal registration shall be accepted for:

(1) A person who is not a citizen or legal permanent resident of the United States.
 (2) A person who is under 18 years of age and whose parents or legal guardians have been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that such parents or legal guardians held a registration under the scrap metal theft reduction act.

(3) A person who, within 10 years immediately preceding the date of filing, has pled guilty to, entered into a diversion agreement for, been convicted of, released from incarceration for or released from probation or parole for committing, attempting to commit, or conspiring to commit a violation of: Article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2016 Supp. 21-5801 through 21-5839 or K.S.A. 2016 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2016 Supp. 21-5903 and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2016 Supp. 21-5904 and amendments thereto; interference with judicial process, K.S.A. 2016 Supp. 21-5905 and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.

(4) A person who within the 10 years immediately preceding the date of registration held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.

(5) A person who makes a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within the last 10 years.

(6) A partnership or limited liability company, unless all partners or members of the partnership or limited liability company are otherwise qualified to file a registration.

(7) A corporation, if any manager, officer or director thereof, or any stockholder

owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason.

(8) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all of the qualifications for registration.

(9) A person whose spouse has been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that the spouse held a registration under the scrap metal theft reduction act.

(10) A person who does not own the premises upon which the place of business is located for which a license is sought, unless the person has a written lease for at least $\frac{3}{4}$ of the period for which the license is to be issued.

(c) Any person filing a scrap metal dealer registration may be subject to a criminal history records check and may be given a written notice that a criminal history records check is required. The attorney general may require such applicant to be fingerprinted and submit to a state and national criminal history record check. If required, such fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The attorney general shall submit any fingerprints provided to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the attorney general in the taking and processing of fingerprints of applicants. The attorney general may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of whether the scrap metal dealer registration shall be accepted. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.

(d) The amendments made to subsections (b)(10) and (c) by section 16 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from the effective date of this act to January 1, 2019.

Sec. 10. K.S.A. 2016 Supp. 75-7427 is hereby amended to read as follows: 75-7427. (a) As used in this section:

(1) "Attorney general" means the attorney general of the state of Kansas, employees of the attorney general or authorized representatives of the attorney general.

(2) "Benefit" means the receipt of money, goods, items, facilities, accommodations or anything of pecuniary value.

(3) "Claim" means an electronic, electronic impulse, facsimile, magnetic, oral, telephonic or written communication that is utilized to identify any goods, service, item, facility or accommodation as reimbursable to the state medicaid program, or its fiscal agents, the state mediKan program or the state children's health insurance program or which states income or expense.

(4) "Client" means past or present beneficiaries or recipients of the state medicaid program, the state mediKan program or the state children's health insurance program.

(5) "Contractor" means any contractor, supplier, vendor or other person who, through a contract or other arrangement, has received, is to receive or is receiving public funds or in-kind contributions from the contracting agency as part of the state medicaid program, the state mediKan program or the state children's health insurance program, and shall include any sub-contractor.

(6) "Contractor files" means those records of contractors which relate to the state medicaid program, the state mediKan program or the state children's health insurance program.

(7) "Fiscal agent" means any corporation, firm, individual, organization, partnership, professional association or other legal entity which, through a contractual relationship with the state of Kansas receives, processes and pays claims under the state medicaid program, the state mediKan program or the state children's health insurance program.

(8) "Health care provider" means a health care provider as defined under K.S.A. 65-4921, and amendments thereto, who has applied to participate in, who currently participates in, or who has previously participated in the state medicaid program, the state mediKan program or the state children's health insurance program.

~~(9) "Department" means the department of health and environment, or its successor agency.~~

~~(10)~~ "Managed care program" means a program which provides coordination, direction and provision of health services to an identified group of individuals by providers, agencies or organizations.

~~(11)~~⁽¹⁰⁾ "Medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder.

~~(12)~~⁽¹¹⁾ "Person" means any agency, association, corporation, firm, limited liability company, limited liability partnership, natural person, organization, partnership or other legal entity, the agents, employees, independent contractors, and subcontractors, thereof, and the legal successors thereto.

~~(13)~~⁽¹²⁾ "Provider" means a person who has applied to participate in, who currently participates in, who has previously participated in, who attempts or has attempted to participate in the state medicaid program, the state mediKan program or the state children's health insurance program, by providing or claiming to have provided goods, services, items, facilities or accommodations.

~~(14)~~⁽¹³⁾ "Recipient" means an individual, either real or fictitious, in whose behalf any person claimed or received any payment or payments from the state medicaid program, or its fiscal agent, the state mediKan program or the state children's health insurance program, whether or not any such individual was eligible for benefits under the state medicaid program, the state mediKan program or the state children's health insurance program.

~~(15)~~⁽¹⁴⁾ "Records" means all written documents and electronic or magnetic data, including, but not limited to, medical records, x-rays, professional, financial or business records relating to the treatment or care of any recipient; goods, services, items, facilities or accommodations provided to any such recipient; rates paid for such goods, services, items, facilities or accommodations; and goods, services, items, facilities or accommodations provided to nonmedicaid recipients to verify rates or amounts of goods, services, items, facilities or accommodations provided to medicaid recipients, as well as any records that the state medicaid program, or its fiscal agents, the state mediKan program or the state children's health insurance program require providers to maintain. "Records" shall not include any report or record in any format which is made pursuant to K.S.A. 65-4922, 65-4923 or 65-4924, and amendments thereto, and which

is privileged pursuant to K.S.A. 65-4915 or 65-4925, and amendments thereto.

~~(16)~~(15) "State children's health insurance program" means the state children's health insurance program as provided in K.S.A. 38-2001 et seq., and amendments thereto.

(b) (1) There is hereby established within the ~~department of health and environment~~ office of the attorney general the office of inspector general. All budgeting, purchasing and related management functions and personnel of the office of inspector general shall be administered under the direction and supervision of the ~~executive director of the department of health and environment~~ attorney general. The purpose of the office of inspector general is to establish a full-time program of audit, investigation and performance review to provide increased accountability, integrity and oversight of the state medicaid program, the state medicaid program and the state children's health insurance program ~~within the jurisdiction of the department of health and environment~~ and to assist in improving agency and program operations and in deterring and identifying fraud, waste, abuse and illegal acts. The office of inspector general shall be independent and free from political influence and in performing the duties of the office under this section shall conduct investigations, audits, evaluations, inspections and other reviews in accordance with professional standards that relate to the fields of investigation and auditing in government.

(2) (A) The inspector general shall be appointed by the ~~department of health and environment~~ attorney general with the advice and consent of the senate and subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as provided in K.S.A. 46-2601, and amendments thereto, no person appointed to the position of inspector general shall exercise any power, duty or function of the inspector general until confirmed by the senate. The inspector general shall be selected without regard to political affiliation and on the basis of integrity and capacity for effectively carrying out the duties of the office of inspector general. The inspector general shall possess demonstrated knowledge, skills, abilities and experience in conducting audits or investigations and shall be familiar with the programs subject to oversight by the office of inspector general.

(B) No former or current executive or manager of any program or agency subject to oversight by the office of inspector general may be appointed inspector general within two years of that individual's period of service with such program or agency. The inspector general shall hold at time of appointment, or shall obtain within one year after appointment, certification as a certified inspector general from a national organization that provides training to inspectors general.

(C) ~~The term of the person first appointed to the position of inspector general shall expire on January 15, 2009. Thereafter,~~ A person appointed to the position of inspector general shall serve for a term which shall expire on January 15 of each year in which the whole senate is sworn in for a new term.

(D) The inspector general shall be in the ~~classified unclassified~~ service and shall receive ~~such compensation as is determined by law~~ an annual salary in an amount equal to the annual salary paid by the state to a district court judge, except that such compensation may be increased but not diminished during the term of office of the inspector general. The inspector general may be removed from office prior to the expiration of the inspector general's term of office ~~in accordance with the Kansas civil service act~~ by the attorney general for cause. The inspector general shall exercise

independent judgment in carrying out the duties of the office of inspector general under subsection (b). Appropriations for the office of inspector general shall be made to the ~~department of health and environment attorney general~~ by separate line item appropriations for the office of inspector general. The inspector general shall report to the ~~secretary of health and environment attorney general~~.

(E) Subject to subsection (b)(1), the inspector general shall have general managerial control over the office of the inspector general and shall establish the organization structure of the office as the inspector general deems appropriate to carry out the responsibilities and functions of the office.

(3) Within the limits of appropriations therefor, the ~~inspector attorney~~ general may hire such employees in the unclassified service as are necessary to administer the office of the inspector general. Such employees shall serve at the pleasure of the ~~inspector attorney~~ general. Subject to appropriations and to subsection (b)(1), the inspector general may obtain the services of certified public accountants, qualified management consultants, professional auditors, or other professionals necessary to independently perform the functions of the office.

(c) (1) In accordance with the provisions of this section, the duties of the office of inspector general shall be to oversee, audit, investigate and make performance reviews of the state medicaid program, the state mediKan program and the state children's health insurance program, ~~which programs are within the jurisdiction of the department of health and environment or their successor programs.~~

(2) In order to carry out the duties of the office, the inspector general shall conduct independent and ongoing evaluation of ~~the department of health and environment and of such programs administered by the department of health and environment or their successor programs,~~ which oversight includes, but is not limited to, the following:

(A) Investigation of fraud, waste, abuse and illegal acts ~~by the department of health and environment and its agents, employees, vendors, contractors, consumers, clients and health care providers or other providers directly relating to such programs.~~

(B) Audits of ~~the department of health and environment, its employees, state programs,~~ contractors, vendors and health care providers related to ensuring that appropriate payments are made for services rendered and to the recovery of overpayments.

(C) Investigations of fraud, waste, abuse or illegal acts committed by clients of the ~~department of health and environment programs~~ or by consumers of services ~~administered by the department of health and environment of such programs.~~

(D) Monitoring adherence to the terms of ~~the any~~ contract between ~~the department of health and environment a state agency~~ and an organization, if any, with which the ~~department state agency~~ has entered into a contract to make claims payments.

(3) Upon finding credible evidence of fraud, waste, abuse or illegal acts, the inspector general shall report its findings to the ~~department of health and environment and refer the findings to the attorney general.~~

(d) The inspector general shall have access to all pertinent information, confidential or otherwise, and to all personnel and facilities of ~~the department of health and environment, their employees, a state agency, state~~ vendors, contractors and health care providers and any federal, state or local governmental agency that are necessary to perform the duties of the office as directly related to such programs ~~administered by the department.~~ Access to contractor or health care provider files shall be limited to those

files necessary to verify the accuracy of the contractor's or health care provider's invoices or their compliance with the contract provisions or program requirements. No health care provider shall be compelled under the provisions of this section to provide individual medical records of patients who are not clients of the state medicaid program, the state mediKan program or the state children's health insurance program. State and local governmental agencies are authorized and directed to provide to the inspector general requested information, assistance or cooperation.

(e) Except as otherwise provided in this section, the inspector general and all employees and former employees of the office of inspector general shall be subject to the same duty of confidentiality imposed by law on any such person or agency with regard to any such information, and shall be subject to any civil or criminal penalties imposed by law for violations of such duty of confidentiality. The duty of confidentiality imposed on the inspector general and all employees and former employees of the office of inspector general shall be subject to the provisions of subsection (f), and the inspector general may furnish all such information to the attorney general, Kansas bureau of investigation or office of the United States attorney in Kansas pursuant to subsection (f). Upon receipt thereof, the attorney general, Kansas bureau of investigation or office of the United States attorney in Kansas and all assistants and all other employees and former employees of such offices shall be subject to the same duty of confidentiality with the exceptions that any such information may be disclosed in criminal or other proceedings which may be instituted and prosecuted by the attorney general or the United States attorney in Kansas, and any such information furnished to the attorney general, the Kansas bureau of investigation or the United States attorney in Kansas under subsection (f) may be entered into evidence in any such proceedings.

(f) All investigations conducted by the inspector general shall be conducted in a manner that ensures the preservation of evidence for use in criminal prosecutions, civil actions or agency administrative actions. If the inspector general determines that a possible criminal act or false claim relating to fraud in the provision or administration of such programs ~~administered by the department of health and environment~~ has been committed, the inspector general shall immediately notify the ~~office of the Kansas~~ attorney general. If the inspector general determines that a possible criminal act has been committed within the jurisdiction of the office, the inspector general may request the special expertise of the Kansas bureau of investigation. The inspector general may present for prosecution the findings of any criminal investigation to the office of the attorney general or the office of the United States attorney in Kansas.

(g) To carry out the duties as described in this section, the inspector general and the inspector general's designees shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books, electronic records and papers as directly related to such programs ~~administered by the department of health and environment~~. Access to contractor files shall be limited to those files necessary to verify the accuracy of the contractor's invoices or its compliance with the contract provisions. No health care provider shall be compelled to provide individual medical records of patients who are not clients of ~~the department~~ such a program or programs.

(h) The inspector general shall report all convictions, terminations and suspensions taken against vendors, contractors and health care providers to ~~the department of health~~

~~and environment and to~~ any agency contracting with or responsible for licensing or regulating those persons or entities. If the inspector general determines reasonable suspicion exists that an act relating to the violation of an agency licensure or regulatory standard has been committed by a vendor, contractor or health care provider who is licensed or regulated by an agency, the inspector general shall immediately notify such agency of the possible violation.

(i) The inspector general shall make annual reports, findings and recommendations regarding the office's investigations into reports of fraud, waste, abuse and illegal acts relating to any such programs ~~administered by the director of health care finance to the secretary of health and environment to the appropriate state agency~~, the legislative post auditor, the committee on ways and means of the senate, the committee on appropriations of the house of representatives, the attorney general and the governor. These reports shall include, but not be limited to, the following information:

- (1) Aggregate provider billing and payment information;
- (2) the number of audits of such programs administered by the department of health and environment and the dollar savings, if any, resulting from those audits;
- (3) health care provider sanctions, in the aggregate, including terminations and suspensions; and
- (4) a detailed summary of the investigations undertaken in the previous fiscal year, which summaries shall comply with all laws and rules and regulations regarding maintaining confidentiality in such programs ~~administered by the department of health and environment~~.

(j) Based upon the inspector general's findings under subsection (c), the inspector general may make such recommendations to the ~~department of health and environment state agency or agencies which administer such program or programs~~ or the legislature for changes in law, rules and regulations, policy or procedures as the inspector general deems appropriate to carry out the provisions of law or to improve the efficiency of such programs ~~administered by the department of health and environment~~. The inspector general shall not be required to obtain permission or approval from any other official or department prior to making any such recommendation.

(k) (1) The inspector general shall make provision to solicit and receive reports of fraud, waste, abuse and illegal acts in such programs ~~administered by the department of health and environment~~ from any person or persons who shall possess such information. The inspector general shall not disclose or make public the identity of any person or persons who provide such reports pursuant to this subsection unless such person or persons consent in writing to the disclosure of such person's identity. Disclosure of the identity of any person who makes a report pursuant to this subsection shall not be ordered as part of any administrative or judicial proceeding. Any information received by the inspector general from any person concerning fraud, waste, abuse or illegal acts in such programs ~~administered by the department of health and environment~~ shall be confidential and shall not be disclosed or made public, upon subpoena or otherwise, except such information may be disclosed if: (A) Release of the information would not result in the identification of the person who provided the information; (B) the person or persons who provided the information to be disclosed consent in writing prior to its disclosure; (C) the disclosure is necessary to protect the public health; or (D) the information to be disclosed is required in an administrative proceeding or court proceeding and appropriate provision has been made to allow disclosure of the

information without disclosing to the public the identity of the person or persons who reported such information to the inspector general.

(2) No person shall:

(A) Prohibit any agent, employee, contractor or subcontractor from reporting any information under subsection (k)(1); or

(B) require any such agent, employee, contractor or subcontractor to give notice to the person prior to making any such report.

(3) Subsection (k)(2) shall not be construed as:

(A) Prohibiting an employer from requiring that an employee inform the employer as to legislative or auditing agency requests for information or the substance of testimony made, or to be made, by the employee to legislators or the auditing agency, as the case may be, on behalf of the employer;

(B) permitting an employee to leave the employee's assigned work areas during normal work hours without following applicable rules and regulations and policies pertaining to leaves, unless the employee is requested by a legislator or legislative committee to appear before a legislative committee or by an auditing agency to appear at a meeting with officials of the auditing agency;

(C) authorizing an employee to represent the employee's personal opinions as the opinions of the employer; or

(D) prohibiting disciplinary action of an employee who discloses information which: (i) The employee knows to be false or which the employee discloses with reckless disregard for its truth or falsity; (ii) the employee knows to be exempt from required disclosure under the open records act; or (iii) is confidential or privileged under statute or court rule.

(4) Any agent, employee, contractor or subcontractor who alleges that disciplinary action has been taken against such agent, employee, contractor or subcontractor in violation of this section may bring an action for any damages caused by such violation in district court within 90 days after the occurrence of the alleged violation.

(5) Any disciplinary action taken against an employee of a state agency or firm as such terms are defined under ~~subsection (b) of~~ K.S.A. 75-2973, and amendments thereto, for making a report under subsection (k)(1) shall be governed by the provisions of K.S.A. 75-2973, and amendments thereto.

(l) The scope, timing and completion of any audit or investigation conducted by the inspector general shall be within the discretion of the inspector general. Any audit conducted by the inspector general's office shall adhere and comply with all provisions of generally accepted governmental auditing standards promulgated by the United States government accountability office.

(m) Nothing in this section shall limit investigations by any state department or agency that may otherwise be required or permitted by law or that may be necessary in carrying out the duties and functions of such agency.

(n) No contractor who has been convicted of fraud, waste, abuse or illegal acts or whose actions have caused the state of Kansas to pay fines to or reimburse the federal government more than \$1,000,000 in the medicaid program shall be eligible for any state medicaid contracts subsequent to such conviction unless the ~~department of health and environment~~ attorney general finds that the contractor is the sole source for such contracts, is the least expensive source for the contract, has reimbursed the state of Kansas for all losses caused by the contractor, or the removal of the contractor would

create a substantial loss of access for medicaid beneficiaries, in which case ~~the department~~, after a specific finding to this effect ~~may waive~~, the prohibition of this subsection may be waived by the attorney general. Nothing in this section shall be construed to conflict with federal law, or to require or permit the use of federal funds where prohibited.

(o) ~~The department of health and environment, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed, executive meeting under the open meetings act, K.S.A. 75-4317 through 75-4320a, and amendments thereto, to discuss with the inspector general any information, records or other matters that are involved in any investigation or audit under this section.~~ All information and records of the inspector general that are made, maintained, kept, obtained or received under any investigation or audit under this section shall be confidential, except as required or authorized pursuant to this section.

Sec. 11. K.S.A. 2016 Supp. 50-6,109a, 50-6,109c, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b and 75-7427 are hereby repealed.";

Also on page 2, in line 22, by striking "statute book" and inserting "Kansas register"; And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "fund" by inserting "; the office of the inspector general; enforcement of the scrap metal theft reduction act; amending K.S.A. 2016 Supp. 50-6,109a, 50-6,109c, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b and 75-7427 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

BLAINE FINCH
FRED PATTON
JOHN CARMICHAEL

Conferees on part of House

RICHARD E. WILBORN
JULIA LYNN
DAVID HALEY

Conferees on part of Senate

On motion of Rep. Finch, the conference committee report on **SB 149** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson,

Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: B. Carpenter, Holscher.

REPORT ON ENGROSSED BILLS

HB 2096 reported correctly engrossed May 3, 2017.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Thursday, May 4, 2017.

Journal of the House

SIXTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 4, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Reps. Carpenter and Holscher were excused on excused absence by the Speaker.

Prayer by guest chaplain, the Rev. Chris Davis, pastor, United Presbyterian Church, Phillipsburg, and guest of Rep. Rahjes:

Almighty God, you have given us this good land as our heritage. We lift up our prayers first in thanksgiving and praise to you. We pray that you will bless all the people of our state - meeting their needs, bringing them comfort, and helping them to find deep joy.

Make us always remember your generosity and constantly do your will. Thank you for calling these women and men to serve our state by offering leadership.

Make them wise.

Make them honest and kind.

Give them courage.

Be with them as they make choices that are challenging and controversial.

Guide them, and be their example.

Show them that all things work together for good for those who love you.

Help them to demonstrate that love is stronger than hate.

That belief in you is stronger than indifference toward you.

That light is stronger than darkness.

God, fill our leaders in this body,

and throughout the other offices of our state and nation with wisdom.

Place a reassuring hand on their shoulders when they make decisions

Let them see with clear eyes, open minds and compassionate hearts and grant to them the desire to serve the people as lovers of truth and justice.

Give them strength, live out their call. Amen.

Adapted from *The Book of Common Worship* (WJK Press) and
The Book of Uncommon Prayer, Steve Case, (Zondervan)

The Pledge of Allegiance was led by Rep. Gartner.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. E. Smith are spread upon the Journal:

Colleagues, today I wish to introduce you to one of the real treasures of rural Kansas; a man who resides in my home community of Burlington, Kansas. His name is Jim Stukey and he is a renowned artist, not only at home, but across this great state and beyond.

James R. Stukey, known by EVERYONE as Jim, has provided so much to my community and in more ways than art. I have known Jim for all of my adult life since first working with him while a high school student at Burlington in the early 80's. Even then, Jim took upon himself to have an active role in assisting and performing with the local school drama groups and helping thousands of kids in my hometown, in Iola, in Emporia, Garnett, Blue Mound, and Fort Scott. He worked with the after school program in my hometown, even starting Burlington's Best Children's Theater in 1999, as a part of that program. He brings stage sets to life, has helped with music, and encourages those who struggle by letting them know everyone has a starting point and a piece of art waiting to be revealed as he gives art classes to community groups and some with special needs. I see the work he does today, continuing in that same mindset he showed us back when I had a little time on stage, and I remember the joy his work brought to our efforts.

Jim's artwork is not just around Burlington, but can be found as over 100 murals in all 5 of the main communities of Coffey County: Burlington, Leroy, Gridley, Lebo, and Waverly. Researching and capturing the history of each community in his artwork, he reminds us all of the legacy a little town in Kansas can carry. He is also known outside of Coffey County with art displayed in the NOTO Art District here in Topeka, and murals in Topeka, Wichita, and Kansas City. He has illustrated a couple of books, including the children's book, "Playground Personalities" by Gail Vermillion and a helpful medical book by Dr. Shekhar Challa called, "Winning the Hepatitis C Battle." His artwork can be found in various settings in Kansas, including pieces he creates for donation for the state fair and fundraising efforts for "Boots and Bling" for the state fair in Hutchinson.

Some of his artwork is on display in the Visitor's Center of this Statehouse today and I encourage you to find a moment to take a glimpse at just a few examples of Kansas genius. There is no doubt in the minds of my community that this man's art and heart touches lives and is a testament to the incredible value of a rural Kansas attitude of humbleness, gratitude, and selflessness.

Joining Jim and I today are our good friend, Gene Merry and his wife Barb who helped to put this together, Jim's dad, Phil and his wife Judy, and Jim's brother Mike and his wife Deborah. We commend you Jim Stukey, for your contribution to our community and this great state of Kansas. Body, please join me in recognizing and congratulating my friend, Jim Stukey!

Rep. E. Smith presented Mr. Stukey with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Good are spread upon the Journal:

Sue Givens is a fine product of Kansas public education. She graduated from Midway of Denton High School and earned her undergraduate and graduate degrees from Emporia State University and Wichita State University, respectively.

She has taught, been a principal, an assistant superintendent or a superintendent in Burlington, Topeka, Stafford, Garden Plain, Pratt, and El Dorado. In her years of education, she has touched lives in many places. And get this, she also coached tennis, volleyball, track, basketball and cheerleading. Oh yes, we love these teachers who can teach and coach.

Sue was my superintendent during the last ten years of my teaching career in El Dorado. She is the most organized boss I have ever worked for. She pushes each teacher to meet their students and parents BEFORE the school year begins. She believes in every child who walks through that school door, and believes they can succeed with determination and dedication.

She visits every classroom in our district once a month...every classroom. I taught my little people her name was Mrs. Super. And I hope to this day when they see her, they still call her by that name. Because you see, she is Mrs. Super to many. She believes in every teacher she has and she motivates us through her words and actions.

Sue has been recognized with many organizational leadership positions as well as a recipient of many awards including: President of the Kansas School Superintendents Association, Kansas Association of Middle School Principals, a Kansas Master Teacher, USA-Kansas Distinguished Service Award, Leadership Kansas Class of 2013, Ingram's "50 Kansans You Should Know" and has recently been named a 2017 Emporia State University Distinguished Alumni. STINGER UP!

Sue is active in the community and serves on the board of the El Dorado Chamber of Commerce, El Dorado Inc., El Dorado Salvation Army, El Dorado Ad Hoc Housing Committee. She is also a faithful member of the Trinity United Methodist Church and the El Dorado Rotary Club.

For the past 25 years, she has also served as a volunteer, Board Member, and Producer of the Miss Kansas Pageant. She is married to Senator Bruce Givens and they have one daughter, Megan, who resides in El Dorado with her husband and two daughters.

When Sue came to El Dorado in 2007, our district was beginning its third consecutive year as a Title I district "on improvement." Sue involved all levels of her staff, from custodians to principals, in developing system-wide strategies for intervention which resulted in a continued closing of poverty and disability gaps in the El Dorado District.

Today, our district shines in more ways than ever. We continually strive through progress monitoring to achieve academic excellence in all areas. Sue never settles for "good enough." As she explained, "Our calling as public educators is to provide every student with the opportunities to be much more than good enough, instead we must provide the support and resources to develop a desire for excellence. I hope my legacy will be, that I never walked away from that calling, and always had the courage to say what others would not, when things were only good enough."

And so with this, is there any wonder that the Kansas School Superintendents' Association has selected El Dorado Superintendent, Sue Givens, as the 2017 Kansas Superintendent of the Year!!

Rep. Good presented Superintendent Givens with a framed House certificate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 60**.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 60** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

KYLE HOFFMAN

KENT THOMPSON

SYDNEY CARLIN

Conferees on part of House

DAN KERSCHEN

BUD ESTES

MARCI FRANCISCO

Conferees on part of Senate

On motion of Rep. Hoffman to adopt the conference committee report on **H Sub for SB 60** to agree to disagree, the motion did not prevail and the bill remains in conference.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2418** be amended on page 1, in line 25, after the period by inserting "Such clinic may be located on property owned or leased by the state of Kansas."; in line 28, after "thereto" by inserting ", except that the department of administration may consider cost avoidance and return on investment when determining the lowest responsible bidder";

On page 2, in line 2, by striking "physicians" and inserting "healthcare providers"; in line 11, by striking "chiropractic" and inserting "physical medicine"; in line 24, by striking "physicians" and inserting "healthcare providers"; also in line 24, by striking "physician's" and inserting "healthcare provider's"; and the bill be passed as amended.

On motion of Rep. Hineman, the House adjourned until 11:00 a.m., Friday, May 5, 2017.

Journal of the House

SIXTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 5, 2017, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Kuether, Resman, Schroeder and Schwab were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Heavenly Father,
Today we stand before You once again,
thankful for all the blessings You have given us
and in need of Your wisdom and guidance.
No one here is able to see the future,
yet they are being called upon to make decisions
which will affect the future of many.
There is no way they can be absolutely certain about anything,
yet they need to make decisions with only the information they currently have.
Help them to not eliminate the uncertainty,
but to develop the art of being clear and decisive
in the face of uncertainty.
This is difficult thing to accomplish.
I ask for Your grace and power for each one.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Corbet.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. E. Smith are spread upon the Journal:

Colleagues,

On a cold January day in 2005, I was sitting in my brother's restaurant when I overheard a conversation at a nearby table. I had been at work all day and had not been around anyone to hear any outside news. The names and description of what had happened – the words that I heard, kicked me into a few moments of denial. It was one of those moments that seemed surreal, as the words seemed to come out of the mouths of those unrecognized people in an all too easy fashion for what they meant in my life.

My law enforcement experience began with a real world introduction to the ultimate danger of the job when, on another cold January day, 9 years prior, I had sat with 67 other officer trainees at our first day of the academy. We were addressed by the Assistant Director of the Academy who related to us that his former partner's son, Sedgewick County Deputy Sheriff, Kevin Easter, had been shot by a 15 year old boy the night before and had not survived. End of Watch: January 8th, 1996. His grief was real and our hearts sank with the news which, for most of us, was the first "in the line of duty" death we would have to learn about in our new career.

Fast forward to me sitting in the restaurant, my mind fast tracking back to a few different moments of speaking with and working with our neighboring sheriff. You see, in 2001, I was an investigator and one of the most interesting assignments I found myself doing was assisting the multi-county drug task force that included Greenwood County. As a part of that investigation assignment, I met Sheriff Matt Samuels. A very well-liked and very personable man who fit perfectly into the character one might imagine for a rural Kansas Sheriff. His easy going nature was hard not to like. This memory made it doubly hard to imagine why, on the day before, a man would have shot and killed him in a farm house out in the middle of a rural Greenwood County landscape. Of course, listening to the two people talk about it, I knew they would have only media information and very little else.

Though I had been away from my law enforcement family for about 3 years, I knew who I could call to find out what happened. The devastating details of that day and what my brother officers had faced during a standoff, shootout and eventual apprehension of the suspect, made me clench my fists and shake my head. Why? Why in the world would anyone have felt the need to shoot our friend, Matt Samuels? Why this, why that? These, of course, were only a few of the questions asked by me, an acquaintance, and hold no measure to the questions and shock endured by his family those next few months and during the trial of the man who killed him.

There are over 800,000 sworn law enforcement in this country. Of those, about half are making an average of three public contacts a day. That's about 1.2 million contacts every day. Every day, 7 days a week, 52 weeks a year for an average of a little over 62,000,000 contacts a year. Of those contacts, 62 officers were killed in the line of duty in 2016 and the numbers for 2017 show that we may surpass that this year. This, of course, doesn't include the number of officers who were critically injured, medically retired as the result of assaults and accidents, the number of officers requiring daily care for injuries they received as they responded to the incidents that people call them to because it is too dangerous for anyone else to handle.

62,000,000 contacts that resulted in at least 62 deaths. I say "at least" because we don't know how many lives have been shortened because of injuries received during the year. Of those 62 killed in the line of duty, 3 happened right here in Kansas - from the Kansas City Police Department; Detective Brad Lancaster, End of Watch: May 9th, 2016; Captain Robert Melton, End of Watch: June 19th, 2016; from the Johnson County Sheriffs Department, Master Deputy Brandon Collins, End of Watch: September 11th, 2016. Please remember the sacrifice these men made in the name of protecting the public. Please remember their families in your prayers.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 14**.

The Senate adopts the Conference Committee report on **SB 16**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2085**, **HB 2301**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2085** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 8 through 34;

By striking all on pages 2 through 13;

On page 14 by striking all in line 1; following line 1 by inserting:

"Section 1. K.S.A. 2016 Supp. 8-1015 is hereby amended to read as follows: 8-1015. (a) (1) Except as provided in subsection (a)(2), whenever a person's driving privileges have been suspended for one year as provided in K.S.A. 8-1014(a), and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(2) Whenever a person's driving privileges have been suspended for one year as provided in K.S.A. 8-1014(a)(1), and amendments thereto, after 90 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only: Under the circumstances provided by K.S.A. 8-292(a)(1), (2), (3) and (4), and amendments thereto; and for the purpose of getting to and from the ignition interlock provider for maintenance and downloading of data from the device.

(3) Except as provided in subsection (a)(4), whenever a person's driving privileges have been suspended for one year as provided in K.S.A. 8-1014(b), and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only for the purposes of getting to and from: Work, school or an alcohol treatment program; and the ignition interlock provider for maintenance and downloading of data from the device.

(4) Whenever a person's driving privileges have been suspended for one year as provided in K.S.A. 8-1014(b)(2)(A), and amendments thereto, after 45 days of such suspension, such person may apply to the division for such person's driving privileges

to be restricted for the remainder of the one-year suspension period to driving only a motor vehicle equipped with an ignition interlock device and only: Under the circumstances provided by K.S.A. 8-292(a)(1), (2), (3) and (4), and amendments thereto; and for the purpose of getting to and from the ignition interlock provider for maintenance and downloading of data from the device.

(5) The division shall assess an application fee of \$100 for a person to apply to modify the suspension to restricted ignition interlock status.

(6) The division shall approve the request for such restricted license unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court. If the request is approved, upon receipt of proof of the installation of such device, the division shall issue a copy of the order imposing such restrictions on the person's driving privileges and such order shall be carried by the person at any time the person is operating a motor vehicle on the highways of this state. Except as provided in K.S.A. 8-1017, and amendments thereto, if such person is convicted of a violation of the restrictions, such person's driving privileges shall be suspended for an additional year, in addition to any term of suspension or restriction as provided in K.S.A. 8-1014(a) or (b), and amendments thereto.

(b) (1) Except as provided in subsection (b)(2), when a person has completed the suspension pursuant to K.S.A. 8-1014(b)(1)(A), and amendments thereto, the division shall restrict the person's driving privileges for 180 days to driving only a motor vehicle equipped with an ignition interlock device.

(2) When a person has completed the suspension pursuant to K.S.A. 8-1014(b)(1)(A), and amendments thereto, the division shall restrict the person's driving privileges for one year to driving only a motor vehicle equipped with an ignition interlock device if the records maintained by the division indicate that such person has previously: (A) Been convicted of a violation of K.S.A. 8-1599, and amendments thereto; (B) been convicted of a violation of K.S.A. 41-727, and amendments thereto; (C) been convicted of any violations listed in K.S.A. 8-285(a), and amendments thereto; (D) been convicted of three or more moving traffic violations committed on separate occasions within a 12-month period; or (E) had such person's driving privileges revoked, suspended, canceled or withdrawn.

(c) Except as provided in subsection (b), when a person has completed the suspension pursuant to K.S.A. 8-1014(a) or (b), and amendments thereto, the division shall restrict the person's driving privileges pursuant to K.S.A. 8-1014(a) or (b), and amendments thereto, to driving only a motor vehicle equipped with an ignition interlock device. Upon restricting a person's driving privileges pursuant to this subsection, the division shall issue a copy of the order imposing the restrictions which is required to be carried by the person at any time the person is operating a motor vehicle on the highways of this state.

(d) Whenever an ignition interlock device is required by law, such ignition interlock device shall be approved by the division and maintained at the person's expense. Proof of the installation of such ignition interlock device, for the entire period required by the applicable law, shall be provided to the division before the person's driving privileges are fully reinstated. Every person who has an ignition interlock device installed as required by law shall be required to complete the ignition interlock device program pursuant to rules and regulations adopted by the secretary of revenue.

and proof of completion shall be provided to the division by the approved service provider before the person's driving privileges are fully reinstated.

(e) Except as provided further, any person whose license is restricted to operating only a motor vehicle with an ignition interlock device installed may operate an employer's vehicle without an ignition interlock device installed during normal business activities, provided that the person does not partly or entirely own or control the employer's vehicle or business. The provisions of this subsection shall not apply to any person whose driving privileges have been restricted for the remainder of the one-year suspension period as provided in subsection (a)(1) or (a)(3).

(f) Upon expiration of the period of time for which restrictions are imposed pursuant to this section, the licensee may apply to the division for the return of any license previously surrendered by the licensee. If the license has expired, the person may apply to the division for a new license, which shall be issued by the division upon payment of the proper fee and satisfaction of the other conditions established by law, unless the person's driving privileges have been suspended or revoked prior to expiration.

(g) Any person who has had the person's driving privileges suspended, restricted or revoked pursuant to K.S.A. 8-1014(a), (b) or (c), prior to the amendments by section 16 of chapter 172 of the 2012 Session Laws of Kansas and section 14 of chapter 105 of the 2011 Session Laws of Kansas, may apply to the division to have the suspension, restriction or revocation penalties modified in conformity with the provisions of K.S.A. 8-1014(a), (b) or (c), and amendments thereto. The division shall assess an application fee of \$100 for a person to apply to modify the suspension, restriction or revocation penalties previously issued. The division shall modify the suspension, restriction or revocation penalties, unless such person's driving privileges have been restricted, suspended, revoked or disqualified pursuant to another action by the division or a court.

(h) The division shall remit all application fees collected pursuant to subsections (a) and (g) to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the division of vehicles operating fund until an aggregate amount of \$100,000 is credited to the division of vehicles operating fund each fiscal year. On and after an aggregate amount of \$100,000 is credited to such fund each fiscal year, the entire amount of such remittance shall be credited to the community corrections supervision fund created by K.S.A. 2016 Supp. 75-52,113, and amendments thereto. The application fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such application. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

Sec. 2. K.S.A. 2016 Supp. 12-4516 is hereby amended to read as follows: 12-4516. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records if three or more years have elapsed since the person:

- (A) Satisfied the sentence imposed; or
- (B) was discharged from probation, parole or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement based on a violation of a city ordinance of

this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of a violation of any ordinance that is prohibited by either K.S.A. 2016 Supp. 12-16,134(a) or (b), and amendments thereto, and which was adopted prior to July 1, 2014, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records.

(c) Any person convicted of the violation of a city ordinance which would also constitute a violation of K.S.A. 21-3512, prior to its repeal, or a violation of K.S.A. 2016 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(d) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would also constitute:

(1) Vehicular homicide, as defined by K.S.A. 21-3405, prior to its repeal, or K.S.A. 2016 Supp. 21-5406, and amendments thereto;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto;

(4) a violation of the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto;

(7) a violation of the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(e) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a first violation of a city ordinance which would also constitute a first violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025,

and amendments thereto.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of a city ordinance which would also constitute a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

(3) The provisions of this subsection shall apply to all violations committed on or after July 1, 2006.

(f) There shall be no expungement of convictions or diversions for a violation of a city ordinance which would also constitute a violation of K.S.A. 8-2,144, and amendments thereto.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state the:

- (A) Defendant's full name;
- (B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- (C) defendant's sex, race and date of birth;
- (D) crime for which the defendant was arrested, convicted or diverted;
- (E) date of the defendant's arrest, conviction or diversion; and
- (F) identity of the convicting court, arresting law enforcement agency or diverting authority.

(2) A municipal court may prescribe a fee to be charged as costs for a person petitioning for an order of expungement pursuant to this section.

(3) Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

- (1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;
- (2) the circumstances and behavior of the petitioner warrant the expungement; and
- (3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested,

convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2016 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer, as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; ~~or~~

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2016 Supp. 75-7c01 et seq., and amendments thereto; or

(L) for applications received on and after July 1, 2016, to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the arrest, conviction or diversion is to be disclosed; and

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged.

(j) Whenever a person is convicted of an ordinance violation, pleads guilty and pays a fine for such a violation, is placed on parole or probation or is granted a suspended sentence for such a violation, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of an offense has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such offense.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for

employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act:

(A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and

(B) their officers, directors, employees, owners, agents and contractors;

(11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications:

(A) To be an employee of the state gaming agency; or

(B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(12) the Kansas securities commissioner, or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(13) the attorney general, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to:

(A) Carry a concealed weapon pursuant to the personal and family protection act;

or

(B) act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto;

(14) the Kansas sentencing commission;

(15) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto; or

(16) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto.

Sec. 3. K.S.A. 2016 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the

expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2016 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2016 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

(3) Except as provided further, the provisions of this subsection shall apply to all violations committed on or after July 1, 2006. The provisions of subsection (d)(2) shall not apply to violations committed on or after July 1, 2014, but prior to July 1, 2015.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2016 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(7) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2016 Supp. 21-5601, and amendments thereto;

(9) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2016 Supp. 21-5602, and amendments thereto;

(10) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2016 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2016 Supp. 21-5405, and amendments thereto;

(15) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, 2015, through June 30, 2017, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement

to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2016 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; ~~or~~

(K) for applications received on and after July 1, 2006, to aid in determining the

petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2016 Supp. 75-7c01 et seq., and amendments thereto; or

(L) for applications received on and after July 1, 2016, to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in K.S.A. 2016 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for

aging and disability services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to:

(A) Carry a concealed weapon pursuant to the personal and family protection act;

or

(B) act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 4. K.S.A. 2016 Supp. 8-1015, 12-4516, 12-4516e, 21-6614, 21-6614g and 21-6614h are hereby repealed.";

Also on page 14, in line 3, by striking "Kansas register" and inserting "statute book";
And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 4; in line 5 by striking all before the period and inserting "driving; relating to driving under the influence and other driving offenses; authorized restrictions of driving privileges, ignition interlock device; expungement of convictions and diversions; amending K.S.A. 2016 Supp. 8-1015, 12-4516 and 21-6614 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4516e, 21-6614g and 21-6614h"

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

RUSS JENNINGS

JOHN R. WHITMER

DENNIS "BOOG" HIGHBERGER

Conferees on part of House

On motion of Rep. Jennings, the conference committee report on **HB 2085** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton,

Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Kuether, Resman, Schroeder, Schwab.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2301** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, in line 8, by striking "(a)"; in line 9, by striking the period; in line 10, by striking all before "shall" and inserting "and"; also in line 10, by striking "not"; in line 11, by striking all after the period; by striking all in lines 12 and 13;

On page 6, following line 13, by inserting:

"Sec. 4. K.S.A. 2016 Supp. 75-4319 is hereby amended to read as follows: 75-4319. (a) Upon formal motion made, seconded and carried, all public bodies and agencies subject to the open meetings act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include ~~a statement of: (1) The justification for closing the meeting; (2); (1) A statement describing~~ the subjects to be discussed during the closed or executive meeting; ~~(2) the justification listed in subsection (b) for closing the meeting;~~ and (3) the time and place at which the open meeting shall resume. ~~Such The complete motion; including the required statement;~~ shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the public body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion.

(b) ~~No subjects shall be discussed at any closed or executive meeting, except~~ Justifications for recess to a closed or executive meeting may only include the following, the need:

- (1) To discuss personnel matters of nonelected personnel;
- (2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship;
- (3) ~~matters relating to discuss~~ employer-employee negotiations whether or not in consultation with the representative or representatives of the public body or agency;
- (4) ~~confidential to discuss~~ data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
- (5) to discuss matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;
- (6) ~~preliminary discussions relating to~~ for the preliminary discussion of the acquisition of real property;
- (7) to discuss matters relating to parimutuel racing permitted to be discussed in a

closed or executive meeting pursuant to K.S.A. 74-8804, and amendments thereto;

(8) to discuss matters relating to the care of children permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 2016 Supp. 38-2212(d)(1), ~~and amendments thereto, or K.S.A. 38-2213(e), and amendments thereto;~~

(9) to discuss matters relating to the investigation of child deaths permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 22a-243(j), and amendments thereto;

(10) ~~matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 44-596(e), and amendments thereto;~~

(11) ~~to discuss matters relating to patients and providers~~ permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 39-7,119(g), and amendments thereto;

(12) to discuss matters required to be discussed in a closed or executive meeting pursuant to a tribal-state gaming compact;

(13) to discuss matters relating to security measures, if the discussion of such matters at an open meeting would jeopardize such security measures, that protect: (A) Systems, facilities or equipment used in the production, transmission or distribution of energy, water or communications services; (B) transportation and sewer or wastewater treatment systems, facilities or equipment; (C) a public body or agency, public building or facility or the information system of a public body or agency; or (D) private property or persons, if the matter is submitted to the public body or agency for purposes of this paragraph. For purposes of this paragraph, security means measures that protect against criminal acts intended to intimidate or coerce the civilian population, influence government policy by intimidation or coercion or to affect the operation of government by disruption of public services, mass destruction, assassination or kidnapping. Security measures include, but are not limited to, intelligence information, tactical plans, resource deployment and vulnerability assessments;

(14) to discuss matters relating to maternity centers and child care facilities permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 65-525(~~f~~) (d), and amendments thereto;

(15) to discuss matters relating to the office of inspector general permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 2016 Supp. 75-7427, and amendments thereto; and

(16) ~~matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 2016 Supp. 46-3801, and amendments thereto~~

(15) for the governor's domestic violence fatality review board to conduct case reviews.

(c) No binding action shall be taken during closed or executive recesses, and such recesses shall not be used as a subterfuge to defeat the purposes of this act.

(d) ~~(1)~~ Any confidential records or information relating to security measures provided or received under the provisions of subsection (b)(~~13~~) (12), shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.

(2) (A) ~~Except as otherwise provided by law, any confidential documents, records or reports relating to the prisoner review board provided or received under the provisions of subsection (b)(16) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.~~

~~(B) Notwithstanding any other provision of law to the contrary, any summary statement provided or received under the provisions of subsection (b)(16) shall not be subject to subpoena, discovery or other demand in any administrative, criminal or civil action.~~;

Also on page 6, in line 15, by striking "and" and inserting a comma; also in line 15, after "75-7d08" by inserting "and 75-4319";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "public records" and inserting "open government"; also in line 1, after "to" by inserting "public records;"; in line 2, after the semicolon by inserting "Kansas open meetings act; closed or executive meetings;"; in line 3, by striking the second "and" and inserting a comma; also in line 3, after "75-7d08" by inserting "and 75-4319";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Finch, the conference committee report on **HB 2301** was adopted.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeyes, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Helgerson, Terrell, Ward.

Present but not voting: None.

Absent or not voting: Kuether, Resman, Schroeder, Schwab.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2419** be passed.

Committee on **Children and Seniors** recommends **SB 126** be amended by substituting a new bill as recommended by the House Committee on Children and Seniors as reported in the Journal of the House on March 23, 2017, and the substitute bill be further amended on page 1, in line 14, after "a" by inserting "recommended"; in line 15, by striking ", and" and inserting "that may include proposed changes to current law, rules and regulations and child welfare system processes. The task force";

On page 2, in line 6, after "18" by inserting "voting"; in line 30, after "of" by inserting "the Kansas"; also in line 30, after "CASA" by inserting "association"; in line 35, after "(d)" by inserting "The secretary for children and families and each entity that contracts with the department to provide reintegration, foster care and adoption services shall individually appoint one ex officio nonvoting member to the task force to provide information and advice to the task force.

(e)";

Also on page 2, in line 41, after "(3)" by inserting "Ex officio members shall be appointed for a term ending on July 1, 2020.

(4) ";

On page 3, in line 11, by striking "Nine" and inserting "Ten voting";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and **H Sub for SB 126** be further amended, and be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 79, by Representative Carpenter, honoring Major Gregory O. Thomas on his retirement from the 184th Comptroller Flight;

Request No. 80, by Representative Carlin, congratulating Manhattan High School Wrestling Team for winning the 2017 Kansas State Championship, Class 6A Division;

Request No. 81, by Representative Carlin, congratulating Manhattan High School Girls Basketball Team for winning the 2017 Kansas State Championship, Class 6A Division;

Request No. 82, by Representative Sutton, commending Thomas William Watterson III on achieving the rank of Eagle Scout;

Request No. 83, by Representative Sutton, commending Jack Dillon Guzan on achieving the rank of Eagle Scout;

Request No. 84, by Representative Landwehr, commending Urban Preparatory Academy and Pastor Wade Moore for creating a school to teach children that "If you believe, you can achieve";

Request No. 85, by Representative E. Smith, commending Jim Stukey for his devotion to his community and the gift of his art to the citizens of Burlington, Coffey County and the Great State of Kansas;

Request No. 86, by Representative A. Smith, congratulating Wallace County Schools Mens Basketball Team for being 2017 Class 1A Division II State Champions;

Request No. 87, by Representative A. Smith, congratulating Weskan Coyote Football

Team for their undefeated 2016 Regular Season and Postseason and victory in the Inaugural Wild West Bowl Championship Game;

Request No. 88, by Representative A. Smith, congratulating Brett Clow – Weskan Coyote Head Football Coach for being 2016 Six Man Football Coach of the Year;

Request No. 89, by Representative Henderson, congratulating Destiny D. Spurlock on being a 2017 high school graduate of Sumner Academy of Arts and Science;

Request No. 90, by Representative Henderson, congratulating Bryan Scott Thomas on being a 2017 high school graduate of Schlagle High School;

Request No. 91, by Representative Henderson, congratulating Mike Nichols on being a 2017 high school graduate of Washington High School;

Request No. 92, by Representative Orr, commending USD 220 Staff Members on the incredible support given to the volunteers of the Starbuck fire in Clark County;

Request No. 93, by Representative Crum, congratulating Ruth Clark Elementary School on being selected as a 2017 Capturing Kids' Hearts National Showcase School;

Request No. 94, by Representative Crum, congratulating Nelson Elementary School on being selected as a 2017 Capturing Kids' Hearts National Showcase School;

Request No. 95, by Representative Crum, congratulating Haysville West Middle School on being selected as a 2017 Capturing Kids' Hearts National Showcase School;

Request No. 96, by Representative Crum, congratulating Freeman Elementary School on being selected as a 2017 Capturing Kids' Hearts National Showcase School; be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

REPORT ON ENROLLED BILLS

HB 2096, HB 2098, HB 2353, HB 2356 reported correctly enrolled, properly signed and presented to the Governor on May 5, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6030 reported correctly enrolled and properly signed on May 5, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Monday, May 8, 2017.

Journal of the House

SIXTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 8, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Barker and Frownfelter were excused on verified illness.

Reps. Johnson and Seiwert were excused on excused absence by the Speaker.

Excused later: Rep. Aurand

Prayer by Chaplain Brubaker:

Dear Lord God,
Thank You for this new week—
this new day which You have given to us.
Use each one to the fullest of their potential today.
May each one be encouraged by Esther in the Old Testament,
who was placed in her royal position for such a time as that.
Each one here has been placed in this particular position
at this particular time for a particular reason.
Help them to prove faithful and diligent to the tasks given to them.
May they recognize that because of the long-term effects of their decisions,
they desperately need to seek Your Words of wisdom and guidance.
This I pray in Your Son's Name,
Amen.

The Pledge of Allegiance was led by Rep. Kuether.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hoffman, **HR 6031**, by Reps. Hoffman, Corbet, Alford, Becker, Bishop, Blex, Carmichael, Carpenter, Clark, Concannon, Curtis, DeGraaf, Delperdang, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hibbard, Highland, Houser, Huebert, Jacobs, Jennings, Judd-Jenkins, Kessinger, Landwehr, Lewis, Lusker, Mason, Mastroni, Ohaebosim, Orr, Osterman, Ousley, Phillips, Pittman, Rahjes, Resman, Ruiz, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, Smith, Tarwater, Thimesch, Thompson, Vickrey, Victors, Waymaster, Whitmer, Williams and Wilson, as follows, was introduced and adopted:

HR 6031—A RESOLUTION commemorating the 80th anniversary of the American System of Conservation Funding.

WHEREAS, More than a century ago, hunters, anglers, and trappers were among the first conservationists to realize that America's natural resources were in peril and such resources could not sustain unregulated harvest and habitat destruction; and

WHEREAS, Hunters, anglers, and trappers took it upon themselves to support laws that stopped excessive harvest of fish and wildlife, established game and fish agencies to protect fish, wildlife and their habitats, and supported fishing and hunting license fees to help fund the new agencies' efforts to provide healthy natural resources for future generations; and

WHEREAS, Upon realizing that license fees alone were insufficient to restore and sustain healthy fish and wildlife populations, hunters, anglers, and trappers supported excise taxes on firearms, ammunition, archery equipment, hunting equipment, and fishing equipment to raise additional funds to support restoration and enhance the efforts of state wildlife agencies; and

WHEREAS, This "user-pays, public-benefits" system became known as the Wildlife and Sport Fish Restoration Program, which began with the passage of the Federal Aid in Wildlife Restoration Act in 1937, was bolstered by the passage of the Federal Aid in Sport Fish Restoration Act in 1950, and was further expanded by the Wallop-Breaux amendment to the Sport Fish Restoration Act in 1984; and

WHEREAS, The Wildlife and Sport Fish Restoration Program also permanently linked revenue from hunting and fishing licenses to conservation, which created the American System of Conservation Funding as it exists today; and

WHEREAS, Since 1939, the combined contribution of the American System of Conservation Funding to state fish and wildlife agencies has exceeded \$57 billion – more than any other single conservation effort in United States history; and

WHEREAS, The manufacturers of firearms, ammunition, and hunting, fishing, and boating equipment have collected excise taxes on firearms, ammunition, archery equipment, manufactured fishing tackle, electric trolling motors, marine electronics, and motorboat fuel, and distributed these funds to the states through the United States Fish and Wildlife Service; and

WHEREAS, This cooperative partnership between industry, hunters, anglers, trappers, boaters, recreational shooters, the United States Fish and Wildlife Service, and state natural resource agencies has resulted in the most successful model of fish and wildlife management in the world, restoring species populations from coast to coast and in Alaska and Hawaii: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we recognize America's hunters, anglers, trappers, boaters, recreational shooters, equipment manufacturers, state fish and wildlife agencies, and the United States Fish and Wildlife Service for their role in restoring healthy populations of fish, wildlife, and other natural resources, both game and non-game, to the abundance we see today through the American System of Conservation Funding, on this, the 80th anniversary year of America's greatest conservation story; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Kansas Department of Wildlife, Parks and Tourism and all Kansas Congressional offices so that all may know and appreciate the foresight and contributions from anglers, hunters, trappers, recreational shooters,

equipment manufacturers, state fish and wildlife agencies, and the United States Fish and Wildlife Service on behalf of our nation's natural resources.

The following remarks of Reps. Hoffman and Corbet are spread upon the Journal.

Today, we celebrate the 80th Anniversary of the American System of Conservation Funding Act, which many of us know as the Pittman-Robertson Act. Kansas has over 530,000 hunters and anglers. Annually we spend upward of \$630 million dollars and we support close to 10,000 jobs in our state. Hunting and fishing dollar's tourism help support Kansas local economies and conservations. I want to thank the Representatives that have joined the Legislative Sportsman Caucus this session and those who also attended the 11th Annual Larry Magill Sportsman Challenge last week. One more thing to mention, this is a quote from the Secretary of Wildlife and Parks "That hunting and fishing is to tourism as Pikes Peak is to Colorado." It's a great thing for Kansas - a lot of dollars come here, so we support the resolution and everybody help support Kansas. Thanks.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 201** be amended on page 2, following line 19, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 50-670 is hereby amended to read as follows: 50-670. (a) As used in this section and K.S.A. 50-670a, and amendments thereto:

(1) "Consumer telephone call" means a call made by a telephone solicitor to the residence or mobile telephone number of a consumer for the purpose of soliciting a sale of any property or services to the person called, or for the purpose of soliciting an extension of credit for property or services to the person called, or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale of property or services to the person called or an extension of credit for such purposes.

(2) "Mobile telephone number" means a telephone number associated with a wireless telecommunications service as defined in K.S.A. 2016 Supp. 12-5363, and amendments thereto.

(3) "Unsolicited consumer telephone call" means a consumer telephone call other than a call made:

(A) In response to an express request or with the express written agreement of the person called;

(B) primarily in connection with an existing debt or contract, payment or performance of which has not been completed at the time of such call; or

(C) to any person with whom the telephone solicitor or the telephone solicitor's predecessor in interest has an established business relationship, unless the consumer has objected to such consumer telephone calls and requested that the telephone solicitor cease making consumer telephone calls. The telephone solicitor shall honor any such request for five years from the date of such request.

(4) "Telephone solicitor" means any natural person, firm, organization, partnership, association or corporation who makes or causes to be made a consumer telephone call, including, but not limited to, calls made by use of automatic dialing-announcing device.

(5) "Automatic dialing-announcing device" means any user terminal equipment which:

(A) When connected to a telephone line can dial, with or without manual assistance,

telephone numbers which have been stored or programmed in the device or are produced or selected by a random or sequential number generator; or
 (B) when connected to a telephone line can disseminate a recorded message to the telephone number called, either with or without manual assistance.

(6) "Negative response" means a statement from a consumer indicating the consumer does not wish to listen to the sales presentation or participate in the solicitation presented in the consumer telephone call.

(7) "Established business relationship" means a prior or existing relationship formed by a voluntary two-way communication between a person or entity and consumer with or without an exchange of consideration, on a basis of an application, purchase or transaction by the consumer, within the 18 months immediately preceding the date of the consumer telephone call, regarding products or services offered by such person or entity, which relationship has not been previously terminated by either party.

(b) Any telephone solicitor who makes an unsolicited consumer telephone call shall:

(1) Identify themselves;

(2) identify the business on whose behalf such person is soliciting;

(3) identify the purpose of the call immediately upon making contact by telephone with the person who is the object of the telephone solicitation;

(4) promptly discontinue the solicitation if the person being solicited gives a negative response at any time during the consumer telephone call;

(5) hang up the phone, or in the case of an automatic dialing-announcing device operator, disconnect the automatic dialing-announcing device from the telephone line within ~~25~~ 10 seconds of the termination of the call by the person being called; ~~and~~

(6) not use an automatic dialing-announcing device unless: (A) The person being solicited has knowingly or voluntarily requested, consented to, permitted or authorized receipt of the message; or (B) the message is immediately preceded by a live operator who obtains the person's consent before the message is delivered;

(7) not use an automatic dialing-announcing device such that the person being solicited receives a telephone call before 9 a.m. or after 8 p.m.;

(8) not use an automatic dialing-announcing device to make a telephone call to any of the following:

(A) A hospital, as defined in K.S.A. 65-425, and amendments thereto;

(B) an ambulatory surgical center, as defined in K.S.A. 65-425, and amendments thereto;

(C) a recuperation center, as defined in K.S.A. 65-425, and amendments thereto;

(D) an ambulance service, as defined in K.S.A. 65-6112, and amendments thereto;

(E) an emergency medical service facility, as defined in K.S.A. 65-6112, and amendments thereto;

(F) a mental health center, as defined in K.S.A. 65-4432, and amendments thereto;

(G) a psychiatric hospital, as defined in K.S.A. 65-5601, and amendments thereto;

(H) a state institution for people with intellectual disability, as defined in K.S.A. 65-5601, and amendments thereto;

(I) a law enforcement agency; or

(J) a city, county, township or other public or private fire department; and

~~(6)(9)~~ ensure a live operator or an automated dialing-announcing device shall answer the line within five seconds of the beginning of the call. If answered by automated dialing-announcing device, the message provided shall include only the information

required in subsection (b)(1) and (2), but shall not contain any unsolicited advertisement.

(c) A telephone solicitor shall not withhold the display of the telephone solicitor's telephone number from a caller identification service when that number is being used for telemarketing purposes.

(d) A telephone solicitor shall not transmit any written information by facsimile machine or computer to a consumer after the consumer requests orally or in writing that such transmissions cease.

(e) A telephone solicitor shall not obtain by use of any professional delivery, courier or other pickup service receipt or possession of a consumer's payment unless the goods are delivered with the opportunity to inspect before any payment is collected.

(f) Local exchange carriers and telecommunications carriers shall not be responsible for the enforcement of the provisions of this section.

(g) Any violation of this section is an unconscionable act or practice under the Kansas consumer protection act.

(h) This section shall be part of and supplemental to the Kansas consumer protection act.";

Also on page 2, in line 20, after "Supp." by inserting "50-670 and"; also in line 20, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the Kansas"; also in line 1, by striking "act"; also in line 1, after the second "the" by inserting "Kansas consumer protection act,"; in line 2, after the semicolon by inserting "relating to the Kansas no-call act, restricting use of automatic dialing-announcing devices;"; also in line 2, after "Supp." by inserting "50-670 and"; in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate not adopts the Conference Committee report on **H Sub for SB 42**, requests a conference and appoints Senators Wilborn, Lynn and Haley as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 42**.

Speaker pro tem Schwab thereupon appointed Reps. Jennings, Whitmer and Highberger as second conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **H Sub for SB 40**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 40** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 40, as follows:

On page 2, in line 11, by striking the second "or" and inserting a comma; also in line 11, after the comma by inserting "section 3 or 21-6422,";

On page 3, in line 23, before "An" by inserting "On and after July 1, 2018,"; in line 28, by striking "2018" and inserting "2019";

On page 4, following line 6, by inserting:

"Sec. 6. K.S.A. 2016 Supp. 21-5301 is hereby amended to read as follows: 21-5301. (a) An attempt is any overt act toward the perpetration of a crime done by a person who intends to commit such crime but fails in the perpetration thereof or is prevented or intercepted in executing such crime.

(b) It shall not be a defense to a charge of attempt that the circumstances under which the act was performed or the means employed or the act itself were such that the commission of the crime was not possible.

(c) (1) An attempt to commit an off-grid felony shall be ranked at nondrug severity level 1. An attempt to commit any other nondrug felony shall be ranked on the nondrug scale at two severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for an attempt to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of attempting to commit the crime of:

(A) Aggravated human trafficking, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5426**(b)**, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2016 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2016 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in ~~subsection (a)(3) of~~ K.S.A. 2016 Supp. 21-5503**(a)(3)**, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in ~~subsection (b)(3) of~~ K.S.A. 2016 Supp. 21-5506**(b)(3)**, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in ~~subsection (b)(1) or (b)(2) of~~ K.S.A. 2016 Supp. 21-5504**(b)(1) or (2)**, and amendments thereto, if the offender is 18 years of age or older;

(G) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, if the offender is 18 years of age or older and the victim

is less than 14 years of age;

(H) sexual exploitation of a child, as defined in ~~subsection (a)(1) or (a)(4) of K.S.A. 2016 Supp. 21-5510(a)(1) or (4),~~ and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age; ~~or~~

(I) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age; or

(J) capital murder, as defined in K.S.A. 2016 Supp. 21-5401, and amendments thereto.

(d) (1) An attempt to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

(2) The provisions of this subsection shall not apply to a violation of attempting to commit a violation of K.S.A. 2016 Supp. 21-5703, and amendments thereto.

(e) An attempt to commit a class A person misdemeanor is a class B person misdemeanor. An attempt to commit a class A nonperson misdemeanor is a class B nonperson misdemeanor.

(f) An attempt to commit a class B or C misdemeanor is a class C misdemeanor.

Sec. 7. K.S.A. 2016 Supp. 21-5302 is hereby amended to read as follows: 21-5302.

(a) A conspiracy is an agreement with another person to commit a crime or to assist in committing a crime. No person may be convicted of a conspiracy unless an overt act in furtherance of such conspiracy is alleged and proved to have been committed by such person or by a co-conspirator.

(b) It is immaterial to the criminal liability of a person charged with conspiracy that any other person with whom the defendant conspired lacked the actual intent to commit the underlying crime provided that the defendant believed the other person did have the actual intent to commit the underlying crime.

(c) It shall be a defense to a charge of conspiracy that the accused voluntarily and in good faith withdrew from the conspiracy, and communicated the fact of such withdrawal to one or more of the accused person's co-conspirators, before any overt act in furtherance of the conspiracy was committed by the accused or by a co-conspirator.

(d) (1) Conspiracy to commit an off-grid felony shall be ranked at nondrug severity level 2. Conspiracy to commit any other nondrug felony shall be ranked on the nondrug scale at two severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for conspiracy to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of conspiracy to commit the crime of:

(A) Aggravated human trafficking, as defined in ~~subsection (b) of K.S.A. 2016 Supp. 21-5426(b),~~ and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2016 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2016 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in ~~subsection (a)(3) of K.S.A. 2016 Supp. 21-5503(a)(3),~~ and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in ~~subsection (b)(3) of~~

K.S.A. 2016 Supp. 21-5506**(b)(3)**, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in ~~subsection (b)(1) or (b)(2)~~ of K.S.A. 2016 Supp. 21-5504**(b)(1) or (2)**, and amendments thereto, if the offender is 18 years of age or older;

(G) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(H) sexual exploitation of a child, as defined in ~~subsection (a)(1) or (a)(4)~~ of K.S.A. 2016 Supp. 21-5510**(a)(1) or (4)**, and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age; ~~or~~

(I) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age; or

(J) violations of the Kansas racketeer influenced and corrupt organization act, as described in K.S.A. 2016 Supp. 21-6329, and amendments thereto.

(e) Conspiracy to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

(f) A conspiracy to commit a misdemeanor is a class C misdemeanor.

Sec. 8. K.S.A. 2016 Supp. 21-5303 is hereby amended to read as follows: 21-5303.

(a) Criminal solicitation is commanding, encouraging or requesting another person to commit a felony, attempt to commit a felony or aid and abet in the commission or attempted commission of a felony for the purpose of promoting or facilitating the felony.

(b) It is immaterial under subsection (a) that the actor fails to communicate with the person solicited to commit a felony if the person's conduct was designed to effect a communication.

(c) It is an affirmative defense that the actor, after soliciting another person to commit a felony, persuaded that person not to do so or otherwise prevented the commission of the felony, under circumstances manifesting a complete and voluntary renunciation of the actor's criminal purposes.

(d) (1) Criminal solicitation to commit an off-grid felony shall be ranked at nondrug severity level 3. Criminal solicitation to commit any other nondrug felony shall be ranked on the nondrug scale at three severity levels below the appropriate level for the underlying or completed crime. The lowest severity level for criminal solicitation to commit a nondrug felony shall be a severity level 10.

(2) The provisions of this subsection shall not apply to a violation of criminal solicitation to commit the crime of:

(A) Aggravated human trafficking, as defined in ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-5426**(b)**, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age;

(B) terrorism, as defined in K.S.A. 2016 Supp. 21-5421, and amendments thereto;

(C) illegal use of weapons of mass destruction, as defined in K.S.A. 2016 Supp. 21-5422, and amendments thereto;

(D) rape, as defined in ~~subsection (a)(3)~~ of K.S.A. 2016 Supp. 21-5503**(a)(3)**, and amendments thereto, if the offender is 18 years of age or older;

(E) aggravated indecent liberties with a child, as defined in ~~subsection (b)(3) of K.S.A. 2016 Supp. 21-5506(b)(3)~~, and amendments thereto, if the offender is 18 years of age or older;

(F) aggravated criminal sodomy, as defined in ~~subsection (b)(1) or (b)(2) of K.S.A. 2016 Supp. 21-5504(b)(1) or (2)~~, and amendments thereto, if the offender is 18 years of age or older;

(G) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, if the offender is 18 years of age or older and the victim is less than 14 years of age; ~~or~~

(H) sexual exploitation of a child, as defined in ~~subsection (a)(1) or (a)(4) of K.S.A. 2016 Supp. 21-5510(a)(1) or (4)~~, and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age; ~~or~~

(I) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto, if the offender is 18 years of age or older and the child is less than 14 years of age.

(e) Criminal solicitation to commit a felony which prescribes a sentence on the drug grid shall reduce the prison term prescribed in the drug grid block for an underlying or completed crime by six months.

Sec. 9. K.S.A. 2016 Supp. 21-5401 is hereby amended to read as follows: 21-5401.

(a) Capital murder is the:

(1) intentional and premeditated killing of any person in the commission of kidnapping, as defined in ~~subsection (a) of K.S.A. 2016 Supp. 21-5408(a)~~, and amendments thereto, or aggravated kidnapping, as defined in ~~subsection (b) of K.S.A. 2016 Supp. 21-5408(b)~~, and amendments thereto, when the kidnapping or aggravated kidnapping was committed with the intent to hold such person for ransom;

(2) intentional and premeditated killing of any person pursuant to a contract or agreement to kill such person or being a party to the contract or agreement pursuant to which such person is killed;

(3) intentional and premeditated killing of any person by an inmate or prisoner confined in a state correctional institution, community correctional institution or jail or while in the custody of an officer or employee of a state correctional institution, community correctional institution or jail;

(4) intentional and premeditated killing of the victim of one of the following crimes in the commission of, or subsequent to, such crime: Rape, as defined in K.S.A. 2016 Supp. 21-5503, and amendments thereto, criminal sodomy, as defined in ~~subsections (a)(3) or (a)(4) of K.S.A. 2016 Supp. 21-5504(a)(3) or (4)~~, and amendments thereto, or aggravated criminal sodomy, as defined in ~~subsection (b) of K.S.A. 2016 Supp. 21-5504(b)~~, and amendments thereto, or any attempt thereof, as defined in K.S.A. 2016 Supp. 21-5301, and amendments thereto;

(5) intentional and premeditated killing of a law enforcement officer;

(6) intentional and premeditated killing of more than one person as a part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct; or

(7) intentional and premeditated killing of a child under the age of 14 in the commission of kidnapping, as defined in ~~subsection (a) of K.S.A. 2016 Supp. 21-5408(a)~~, and amendments thereto, or aggravated kidnapping, as defined in ~~subsection (b) of K.S.A. 2016 Supp. 21-5408(b)~~, and amendments thereto, when the kidnapping or

aggravated kidnapping was committed with intent to commit a sex offense upon or with the child or with intent that the child commit or submit to a sex offense.

(b) For purposes of this section, "sex offense" means: Rape, as defined in K.S.A. 2016 Supp. 21-5503, and amendments thereto; aggravated indecent liberties with a child, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5506**(b)**, and amendments thereto; aggravated criminal sodomy, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5504**(b)**, and amendments thereto; selling sexual relations, as defined in K.S.A. 2016 Supp. 21-6419, and amendments thereto; promoting the sale of sexual relations, as defined in K.S.A. 2016 Supp. 21-6420, and amendments thereto; commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto; ~~or;~~ sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-5510, and amendments thereto; internet trading in child pornography, as defined in section 3(a), and amendments thereto; aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto; or aggravated human trafficking, as defined in K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another.

(c) Capital murder or attempt to commit capital murder is an off-grid person felony.

(d) The provisions of ~~subsection (e) of~~ K.S.A. 2016 Supp. 21-5301**(c)**, and amendments thereto, shall not apply to a violation of attempting to commit the crime of capital murder pursuant to this section.";

On page 6, following line 16, by inserting:

"Sec. 11. K.S.A. 2016 Supp. 21-5502 is hereby amended to read as follows: 21-5502. (a) The provisions of this section shall apply only in a prosecution for:

- (1) Rape, as defined in K.S.A. 2016 Supp. 21-5503, and amendments thereto;
- (2) indecent liberties with a child, as defined in ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-5506**(a)**, and amendments thereto;
- (3) aggravated indecent liberties with a child, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5506**(b)**, and amendments thereto;
- (4) criminal sodomy, as defined in ~~subsections (a)(3) and (a)(4) of~~ K.S.A. 2016 Supp. 21-5504**(a)(3) and (4)**, and amendments thereto;
- (5) aggravated criminal sodomy, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5504**(b)**, and amendments thereto;
- (6) aggravated indecent solicitation of a child, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5508**(b)**, and amendments thereto;
- (7) sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-5510, and amendments thereto;
- (8) aggravated sexual battery, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5505**(b)**, and amendments thereto;
- (9) incest, as defined in ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-5604**(a)**, and amendments thereto;
- (10) aggravated incest, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5604**(b)**, and amendments thereto;
- (11) indecent solicitation of a child, as defined in ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-5508**(a)**, and amendments thereto;
- (12) aggravated assault, as defined in ~~subsection (b) of~~ K.S.A. 2016 Supp. 21-5412**(b)**, and amendments thereto, with intent to commit any crime specified above;
- (13) sexual battery, as defined in ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-5505**(a)**,

and amendments thereto;

(14) unlawful voluntary sexual relations, as defined in K.S.A. 2016 Supp. 21-5507, and amendments thereto;

(15) aggravated human trafficking, as defined in ~~subsections (b)(2) and (b)(4) of~~ K.S.A. 2016 Supp. 21-5426**(b)(2), (4) and (5)**, and amendments thereto;

(16) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto;

(17) electronic solicitation, as defined in K.S.A. 2016 Supp. 21-5509, and amendments thereto;~~or~~

(18) internet trading in child pornography, as defined in section 3(a), and amendments thereto;

(19) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto; or

(20) attempt, as defined in K.S.A. 2016 Supp. 21-5301, and amendments thereto, or conspiracy, as defined in K.S.A. 2016 Supp. 21-5302, and amendments thereto, to commit any crime specified above.

(b) Except as provided in subsection (c), in any prosecution to which this section applies, evidence of the complaining witness' previous sexual conduct with any person including the defendant shall not be admissible, and no reference shall be made thereto in any proceeding before the court, except under the following conditions: The defendant shall make a written motion to the court to admit evidence or testimony concerning the previous sexual conduct of the complaining witness. The motion shall be made at least seven days before the commencement of the proceeding unless that requirement is waived by the court. The motion shall state the nature of such evidence or testimony and its relevancy and shall be accompanied by an affidavit in which an offer of proof of the previous sexual conduct of the complaining witness is stated. The motion, affidavits and any supporting or responding documents of the motion shall not be made available for examination without a written order of the court except that such motion, affidavits and supporting and responding documents or testimony when requested shall be made available to the defendant or the defendant's counsel and to the prosecutor. The defendant, defendant's counsel and prosecutor shall be prohibited from disclosing any matters relating to the motion, affidavits and any supporting or responding documents of the motion. The court shall conduct a hearing on the motion in camera. At the conclusion of the hearing, if the court finds that evidence proposed to be offered by the defendant regarding the previous sexual conduct of the complaining witness is relevant and is not otherwise inadmissible as evidence, the court may make an order stating what evidence may be introduced by the defendant and the nature of the questions to be permitted. The defendant may then offer evidence and question witnesses in accordance with the order of the court.

(c) In any prosecution for a crime designated in subsection (a), the prosecutor may introduce evidence concerning any previous sexual conduct of the complaining witness, and the complaining witness may testify as to any such previous sexual conduct. If such evidence or testimony is introduced, the defendant may cross-examine the witness who gives such testimony and offer relevant evidence limited specifically to the rebuttal of such evidence or testimony introduced by the prosecutor or given by the complaining witness.

(d) As used in this section, "complaining witness" means the alleged victim of any

crime designated in subsection (a), the prosecution of which is subject to this section.";

On page 10, following line 31, by inserting:

"Sec. 15. K.S.A. 2016 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2016 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2016 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and

amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2016 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(7) internet trading in child pornography or aggravated internet trading in child pornography, as defined in section 3, and amendments thereto;

(8) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604, and amendments thereto;

~~(8)~~(9) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2016 Supp. 21-5601, and amendments thereto;

~~(9)~~(10) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2016 Supp. 21-5602, and amendments thereto;

~~(10)~~(11) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2016 Supp. 21-5401, and amendments thereto;

~~(11)~~(12) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments thereto;

~~(12)~~(13) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments thereto;

~~(13)~~(14) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto;

~~(14)~~(15) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2016 Supp. 21-5405, and amendments thereto;

~~(15)~~(16) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

~~(16)~~(17) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto;

~~(17)~~(18) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

~~(18)~~(19) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

- (A) Defendant's full name;
- (B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- (C) defendant's sex, race and date of birth;
- (D) crime for which the defendant was arrested, convicted or diverted;
- (E) date of the defendant's arrest, conviction or diversion; and
- (F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, 2015, through June 30, 2017, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2016 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or

certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto;~~or~~

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2016 Supp. 75-7c01 et seq., and amendments thereto; or

(L) for applications received on and after July 1, 2016, to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in K.S.A. 2016 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;
- (11) the Kansas sentencing commission;
- (12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to:

(A) Carry a concealed weapon pursuant to the personal and family protection act;

or

(B) act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6.141, and amendments thereto; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 16. K.S.A. 2016 Supp. 21-6626 is hereby amended to read as follows: 21-6626. (a) An aggravated habitual sex offender shall be sentenced to imprisonment for life without the possibility of parole. Such offender shall spend the remainder of the offender's natural life incarcerated and in the custody of the secretary of corrections. An offender who is sentenced to imprisonment for life without the possibility of parole shall not be eligible for commutation of sentence, parole, probation, assignment to a community correctional services program, conditional release, postrelease supervision, functional incapacitation release pursuant to K.S.A. 22-3728, and amendments thereto, or suspension, modification or reduction of sentence.

(b) Upon sentencing a defendant to imprisonment for life without the possibility of parole, the court shall commit the defendant to the custody of the secretary of corrections and the court shall state in the sentencing order of the judgment form or journal entry, whichever is delivered with the defendant to the correctional institution, that the defendant has been sentenced to imprisonment for life without the possibility of parole.

(c) As used in this section:

(1) "Aggravated habitual sex offender" means a person who, on and after July 1, 2006: (A) Has been convicted in this state of a sexually violent crime, as described in subsection (c)(2)(A) through (c)(2)(J) or (c)(2)(L); and (B) prior to the conviction of the felony under subparagraph (A), has been convicted of two or more sexually violent crimes;

- (2) "Sexually violent crime" means:
- (A) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;
- (B) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2016 Supp. 21-5506, and amendments thereto;
- (C) criminal sodomy, as defined in ~~subsection (a)(2) or (a)(3) of K.S.A. 21-3505(a)(2) or (3),~~ prior to its repeal, or ~~subsection (a)(3) or (a)(4) of K.S.A. 2016 Supp. 21-5504(a)(3) or (4),~~ and amendments thereto;
- (D) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504, and amendments thereto;
- (E) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto;
- (F) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;
- (G) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto;
- (H) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604, and amendments thereto;
- (I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or ~~subsection (b) of K.S.A. 2016 Supp. 21-5426(b),~~ and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;
- (J) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto;
- (K) internet trading in child pornography or aggravated internet trading in child pornography, as defined in section 3, and amendments thereto;
- (L) any federal or other state conviction for a felony offense that under the laws of this state would be a sexually violent crime as defined in this section;
- ~~(M)~~ (M) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section; or
- ~~(N)~~ (N) any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.
- Sec. 17. K.S.A. 2016 Supp. 21-6627 is hereby amended to read as follows: 21-6627. (a) (1) Except as provided in subsection (b) or (d), a defendant who is 18 years of age or older and is convicted of the following crimes committed on or after July 1, 2006, shall be sentenced to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 25 years unless the court determines that the defendant should be sentenced as determined in subsection (a)(2):
- (A) Aggravated human trafficking, as defined in ~~subsection (b) of K.S.A. 2016 Supp. 21-5426(b),~~ and amendments thereto, if the victim is less than 14 years of age;

(B) rape, as defined in ~~subsection (a)(3)~~ of K.S.A. 2016 Supp. 21-5503(a)(3), and amendments thereto;

(C) aggravated indecent liberties with a child, as defined in ~~subsection (b)(3)~~ of K.S.A. 2016 Supp. 21-5506(b)(3), and amendments thereto;

(D) aggravated criminal sodomy, as defined in ~~subsection (b)(1) or (b)(2)~~ of K.S.A. 2016 Supp. 21-5504(b)(1) or (2), and amendments thereto;

(E) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, if the victim is less than 14 years of age;

(F) sexual exploitation of a child, as defined in ~~subsection (a)(1) or (a)(4)~~ of K.S.A. 2016 Supp. 21-5510(a)(1) or (4), and amendments thereto, if the child is less than 14 years of age; ~~and~~

(G) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto, if the child is less than 14 years of age; and

(H) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of an offense defined in subsections (a)(1)(A) through (a)(1)(F)(G).

(2) The provision of subsection (a)(1) requiring a mandatory minimum term of imprisonment of not less than 25 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2016 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, is subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds 300 months. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(b) (1) On and after July 1, 2006, if a defendant who is 18 years of age or older is convicted of a crime listed in subsection (a)(1) and such defendant has previously been convicted of a crime listed in subsection (a)(1), a crime in effect at any time prior to July 1, 2011, which is substantially the same as a crime listed in subsection (a)(1) or a crime under a law of another jurisdiction which is substantially the same as a crime listed in subsection (a)(1), the court shall sentence the defendant to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 40 years. The provisions of this paragraph shall not apply to a crime committed under K.S.A. 2016 Supp. 21-5507, and amendments thereto, or a crime under a law of another jurisdiction which is substantially the same as K.S.A. 2016 Supp. 21-5507, and amendments thereto.

(2) The provision of subsection (b)(1) requiring a mandatory minimum term of imprisonment of not less than 40 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2016 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, is subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds 480 months. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established pursuant to the sentencing range.

(c) When a person is sentenced pursuant to subsection (a) or (b), such person shall be sentenced to a mandatory minimum term of imprisonment of not less than 25 years,

40 years or be sentenced as determined in subsection (a)(2) or subsection (b)(2), whichever is applicable, and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, a person sentenced pursuant to this section shall not be eligible for parole prior to serving such mandatory term of imprisonment, and such imprisonment shall not be reduced by the application of good time credits.

(d) (1) On or after July 1, 2006, for a first time conviction of an offense listed in subsection (a)(1), the sentencing judge shall impose the mandatory minimum term of imprisonment provided by subsection (a), unless the judge finds substantial and compelling reasons, following a review of mitigating circumstances, to impose a departure. If the sentencing judge departs from such mandatory minimum term of imprisonment, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. The departure sentence shall be the sentence pursuant to the revised Kansas sentencing guidelines act, article 68 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, and, subject to the provisions of K.S.A. 2016 Supp. 21-6818, and amendments thereto, no sentence of a mandatory minimum term of imprisonment shall be imposed hereunder.

(2) As used in this subsection, "mitigating circumstances" shall include, but are not limited to, the following:

- (A) The defendant has no significant history of prior criminal activity;
- (B) the crime was committed while the defendant was under the influence of extreme mental or emotional disturbances;
- (C) the victim was an accomplice in the crime committed by another person, and the defendant's participation was relatively minor;
- (D) the defendant acted under extreme distress or under the substantial domination of another person;
- (E) the capacity of the defendant to appreciate the criminality of the defendant's conduct or to conform the defendant's conduct to the requirements of law was substantially impaired; and
- (F) the age of the defendant at the time of the crime.

(e) The provisions of K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, shall not apply to any defendant sentenced pursuant to this section.

Sec. 18. K.S.A. 2016 Supp. 21-6806 is hereby amended to read as follows: 21-6806. (a) Sentences of imprisonment shall represent the time a person shall actually serve, subject to a reduction of the primary sentence for good time as authorized by K.S.A. 2016 Supp. 21-6821, and amendments thereto.

(b) The sentencing court shall pronounce sentence in all felony cases.

(c) Violations of K.S.A. 2016 Supp. 21-5401, 21-5402, 21-5421, 21-5422 and 21-5901, and amendments thereto, are off-grid crimes for the purpose of sentencing. Except as otherwise provided by K.S.A. 2016 Supp. 21-6617, 21-6618, 21-6619, 21-6622, 21-6624, 21-6625, 21-6628 and 21-6629, and amendments thereto, the sentence shall be imprisonment for life and shall not be subject to statutory provisions for suspended sentence, community service or probation.

(d) As identified in K.S.A. 2016 Supp. 21-5426, 21-5503, 21-5504, 21-5506, 21-5510, section 3 and 21-6422, and amendments thereto, if the offender is 18 years of age or older and the victim is under 14 years of age, such violations are off-grid crimes for

the purposes of sentencing. Except as provided in K.S.A. 2016 Supp. 21-6626, and amendments thereto, the sentence shall be imprisonment for life pursuant to K.S.A. 2016 Supp. 21-6627, and amendments thereto.

Sec. 19. K.S.A. 2016 Supp. 22-3601 is hereby amended to read as follows: 22-3601. (a) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken to the court of appeals, except in those cases reviewable by law in the district court or in which a direct appeal to the supreme court is required. Whenever an interlocutory appeal is permitted in a criminal case in the district court, such appeal shall be taken to the court of appeals.

(b) Any appeal permitted to be taken from a district court's final judgment in a criminal case shall be taken directly to the supreme court in the following cases:

(1) Any case in which a statute of this state or of the United States has been held unconstitutional;

(2) any case in which the defendant has been convicted of a class A felony;

(3) any case in which a maximum sentence of life imprisonment has been imposed, unless the maximum sentence has been imposed pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto; and

(4) except as provided further, any case in which the crime was committed on or after July 1, 1993, and the defendant has been convicted of an off-grid crime. The provisions of this paragraph shall not apply to any case in which the off-grid crime was:

(A) Aggravated human trafficking, ~~subsection (e)(2)(B) of K.S.A. 2016 Supp. 21-5426(c)(3)~~, and amendments thereto;

(B) rape, ~~subsection (b)(2)(B) of K.S.A. 2016 Supp. 21-5503(b)(2)(B)~~, and amendments thereto;

(C) aggravated criminal sodomy, ~~subsection (e)(2)(B)(ii) of K.S.A. 2016 Supp. 21-5504(c)(2)(B)(ii)~~, and amendments thereto;

(D) aggravated indecent liberties with a child, ~~subsection (e)(2)(C)(ii) of K.S.A. 2016 Supp. 21-5506(c)(2)(C)(ii)~~, and amendments thereto;

(E) sexual exploitation of a child, ~~subsection (b)(2)(B) of K.S.A. 2016 Supp. 21-5510(b)(2)(B)~~, and amendments thereto;

(F) aggravated internet trading in child pornography, section 3(c)(3), and amendments thereto;

(G) commercial sexual exploitation of a child, subsection (b)(2) of K.S.A. 2016 Supp. 21-6422(b)(2), and amendments thereto; or

~~(G)~~ (H) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2016 Supp. 21-5301, 21-5302 or ~~21-5303~~ 21-5303, and amendments thereto, of any such felony.

Sec. 20. K.S.A. 2016 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 2016 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2016 Supp. 21-6617, and amendments thereto, shall not be

eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2016 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or

after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2016 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2016 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

- (a) Written briefs or oral arguments submitted by either the defendant or the state;
- (b) any evidence received during the proceeding;
- (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 2016 Supp. 21-6813(e), and amendments thereto; and
- (d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to K.S.A. 21-4718, prior to its repeal, or K.S.A. 2016 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2016 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) Except as provided in subsection (u), persons convicted of a sexually violent crime committed on or after July 1, 2006, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto, shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) internet trading in child pornography, as defined in section 3(a), and amendments thereto;

(M) aggravated internet trading in child pornography, as defined in section 3(b), and amendments thereto;

(N) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto; or

~~(M)~~ (O) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program, for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time

the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or

any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall

require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or

postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the

county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 2016 Supp. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board

shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2016 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.";

On page 22, in line 32, after the semicolon by inserting "section 3(a), and amendments thereto, internet trading in child pornography; section 3(b), and amendments thereto, aggravated internet trading in child pornography;"

On page 28, in line 19, after the first comma by inserting "21-5301, 21-5302, 21-5303, 21-5401,"; also in line 19, after the second comma by inserting "21-5502,"; in line 20, after the first comma by inserting "21-6614, 21-6614g, 21-6614h, 21-6626, 21-6627, 21-6806, 22-3601, 22-3717,";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after the first comma by inserting "21-5301, 21-5302, 21-5303, 21-5401,"; also in line 8, after the second comma by inserting "21-5502,"; in line 9, after the third comma by inserting "21-6614, 21-6626, 21-6627, 21-6806, 22-3601, 22-3717,"; in line 10, after "sections" by inserting "; also repealing K.S.A. 2016 Supp. 21-6614g and 21-6614h";

And your committee on conference recommends the adoption of this report.

BLAINE FINCH
FRED PATTON
JOHN CARMICHAEL

Conferees on part of House

RICHARD E. WILBORN
JULIA LYNN
DAVID HALEY

Conferees on part of Senate

On motion of Rep. Finch, the conference committee report on **H Sub for SB 40** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton,

Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Frownfelter, Johnson, Seiwert.

INTRODUCTION OF ORIGINAL MOTIONS

Pursuant to House Rule 2306, Rep. Hineman moved **H Sub for SB 126** be withdrawn from the Calendar under the heading General Orders and be rereferred to Committee on Children and Seniors. The motion prevailed.

REPORT ON ENGROSSED BILLS

HB 2301 reported correctly engrossed May 5, 2017.

HB 2085 reported correctly reengrossed May 5, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, May 9, 2017.

Journal of the House

SIXTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 9, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Rep. Wheeler was excused on verified illness.

Rep. Claeys was excused on excused absence by the Speaker.

Excused later: Rep. Williams.

Prayer by Chaplain Brubaker:

Almighty God,
once again we are thankful and blessed
with the beautiful day You have given us
and for the privilege we have to be here today.
We read in the Bible of Benaiah
who went down into a pit on a snowy day
and killed a lion.
Some may be feeling like they are on a slippery slope,
as they battle the lions of education, taxes and budgets.
Just as You gave strength and courage to Benaiah,
I ask that you give the same to these leaders.
Help them to make the right decisions,
no matter how difficult it may be.
In an effort to make the right decisions,
remind them that it is You, God,
who arms them with strength and makes their way perfect.
I ask for Your wisdom and guidance in Your Son's Name,
Amen.

The Pledge of Allegiance was led by Rep. Weigel.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 89**.

CHANGE OF CONFEREES

Reps. Waymaster, Davis and Wolfe Moore are appointed to replace Reps. Sloan, Rahjes and Victors as members of the conference committee on **HB 2079**.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Curtis to replace Rep. Ruiz on Committee on Taxation on May 9 and 10, 2017.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2041**.

The Senate adopts the Conference Committee report on **HB 2054**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2153**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2153** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 8 through 32;

By striking all on pages 2 through 10;

On page 11, by striking all in lines 1 through 28; following line 28, by inserting:

"New Section 1. Sections 1 through 9, and amendments thereto, apply to all public benefit corporations, as defined in section 2, and amendments thereto. If a corporation elects to become a public benefit corporation under sections 1 through 9, and amendments thereto, in the manner prescribed in sections 1 through 9, and amendments thereto, it shall be subject in all respects to the provisions of the Kansas general corporation code, except to the extent sections 1 through 9, and amendments thereto, impose additional or different requirements, in which case such requirements shall apply.

New Sec. 2. (a) A "public benefit corporation" is a for-profit corporation organized under and subject to the requirements of the Kansas general corporation code that is intended to produce a public benefit or public benefits and to operate in a responsible and sustainable manner. To that end, a public benefit corporation shall be managed in a manner that balances the stockholders' pecuniary interests, the best interests of those materially affected by the corporation's conduct and the public benefit or public benefits identified in its articles of incorporation. In the articles of incorporation, a public benefit corporation shall:

(1) Identify within its statement of business or purpose pursuant to K.S.A. 17-

6002(a)(3), and amendments thereto, one or more specific public benefits to be promoted by the corporation; and

(2) state within its heading the name of the corporation and that it is a public benefit corporation pursuant to K.S.A. 2016 Supp. 17-7919(b), and amendments thereto.

(b) "Public benefit" means a positive effect, or reduction of negative effects, on one or more categories of persons, entities, communities or interests, other than stockholders in their capacities as stockholders, including, but not limited to, effects of an artistic, charitable, cultural, economic, educational, environmental, literary, medical, religious, scientific or technological nature. "Public benefit provisions" means the provisions of the articles of incorporation contemplated by this section.

(c) If the name of a public benefit corporation does not contain language stated in K.S.A. 2016 Supp. 17-7919(b)(1) through (4), and amendments thereto, the corporation shall, prior to issuing unissued shares of stock or disposing of treasury shares, provide notice to any person to whom such stock is issued or who acquires such treasury shares that it is a public benefit corporation; but such notice need not be provided if the issuance or disposal is pursuant to an offering registered under the securities act of 1933, 15 U.S.C. § 77f et seq., or if, at the time of issuance or disposal, the corporation has a class of securities that is registered under the securities exchange act of 1934, 15 U.S.C. § 78a et seq.

New Sec. 3. (a) Notwithstanding any other provisions of the Kansas general corporation code, a corporation that is not a public benefit corporation, may not, without the approval of $\frac{2}{3}$ of the outstanding stock of the corporation entitled to vote thereon:

(1) Amend its articles of incorporation to include a provision authorized by section 2(a)(1), and amendments thereto; or

(2) merge or consolidate with or into another entity if, as a result of such merger or consolidation, the shares in such corporation would become, or be converted into or exchanged for the right to receive, shares or other equity interests in a domestic or foreign public benefit corporation or similar entity.

The restrictions of this section shall not apply prior to the time that the corporation has received payment for any of its capital stock.

(b) Except as provided in subsection (e), any stockholder of a corporation that is not a public benefit corporation shall be entitled to an appraisal by the district court of the fair value of the stockholder's shares of stock if such stockholder:

(1) Holds shares of stock of such corporation immediately prior to the effective time of:

(A) An amendment to the corporation's articles of incorporation to include a provision authorized by section 2(a)(1), and amendments thereto; or

(B) a merger or consolidation that would result in the conversion of the corporation's stock into or exchange of the corporation's stock for the right to receive shares or other equity interests in a domestic or foreign public benefit corporation or similar entity; and

(2) has neither voted in favor of such amendment or such merger or consolidation nor consented thereto in writing pursuant to K.S.A. 17-6518, and amendments thereto.

(c) Notwithstanding any other provisions of the Kansas general corporation code, a corporation that is a public benefit corporation may not, without the approval of $\frac{2}{3}$ of

the outstanding stock of the corporation entitled to vote thereon:

(1) Amend its articles of incorporation to delete or amend a provision authorized by section 2(a)(1) or 6(f), and amendments thereto; or

(2) merge or consolidate with or into another entity if, as a result of such merger or consolidation, the shares in such corporation would become, or be converted into or exchanged for the right to receive, shares or other equity interests in a domestic or foreign corporation that is not a public benefit corporation or similar entity and the articles of incorporation, or similar governing instrument, of which does not contain the identical provisions identifying the public benefit or public benefits pursuant to section 2(a)(1), and amendments thereto, or imposing requirements pursuant to section 6(f), and amendments thereto.

(d) Except as provided in subsection (e), any stockholder of a corporation that is a public benefit corporation shall be entitled to an appraisal by the district court of the fair value of the stockholder's shares of stock if such stockholder:

(1) Holds shares of stock of such corporation immediately prior to the effective time of:

(A) An amendment to the corporation's articles of incorporation to remove a provision authorized by section 2(a)(1), and amendments thereto; or

(B) a merger or consolidation that would result in the conversion of the corporation's stock into or exchange of the corporation's stock for the right to receive shares or other equity interests in a domestic or foreign entity other than a public benefit corporation or similar entity; and

(2) has neither voted in favor of such amendment or such merger or consolidation nor consented thereto in writing pursuant to K.S.A. 17-6518, and amendments thereto.

(e) No appraisal rights under this section shall be available for the shares of any class or series of stock, which stock, or depository receipts in respect thereof, at the record date fixed to determine the stockholders entitled to receive notice of the meeting of stockholders to act upon the agreement of merger or consolidation or amendment, were either: (1) Listed on a national securities exchange; or (2) held of record by more than 2,000 holders, unless, in the case of a merger or consolidation, the holders thereof are required by the terms of an agreement of merger or consolidation to accept for such stock anything except: (A) Shares of stock of any other corporation, or depository receipts in respect thereof, which shares of stock, or depository receipts in respect thereof, or depository receipts at the effective date of the merger or consolidation will be either listed on a national securities exchange or held of record by more than 2,000 holders; (B) cash in lieu of fractional shares or fractional depository receipts described in subparagraph (A); or (C) any combination of the shares of stock, depository receipts and cash in lieu of fractional shares or fractional depository receipts described in subparagraphs (A) and (B).

New Sec. 4. Any stock certificate issued by a public benefit corporation shall note conspicuously that the corporation is a public benefit corporation formed pursuant to sections 1 through 9, and amendments thereto. Any notice sent by a public benefit corporation pursuant to K.S.A. 17-6401(f), and amendments thereto, shall state conspicuously that the corporation is a public benefit corporation formed pursuant to sections 1 through 9, and amendments thereto.

New Sec. 5. (a) The board of directors shall manage or direct the business and affairs of the public benefit corporation in a manner that balances the pecuniary

interests of the stockholders, the best interests of those materially affected by the corporation's conduct and the specific public benefit or public benefits identified in its articles of incorporation.

(b) A director of a public benefit corporation shall not, by virtue of the public benefit provisions or section 2(a), and amendments thereto, have any duty to any person on account of any interest of such person in the public benefit or public benefits identified in the articles of incorporation or on account of any interest materially affected by the corporation's conduct and, with respect to a decision implicating the balance requirement in subsection (a), will be deemed to satisfy such director's fiduciary duties to stockholders and the corporation if such director's decision is both informed and disinterested and not such that no person of ordinary, sound judgment would approve.

(c) The articles of incorporation of a public benefit corporation may include a provision that any disinterested failure to satisfy this section shall not, for the purposes of K.S.A. 17-6002(b)(8) or 17-6305, and amendments thereto, constitute an act or omission not in good faith, or a breach of the duty of loyalty.

New Sec. 6. (a) A public benefit corporation shall include in every notice of a meeting of stockholders a statement to the effect that it is a public benefit corporation formed pursuant to sections 1 through 9, and amendments thereto.

(b) A public benefit corporation shall no less than annually provide its stockholders with a statement as to the corporation's promotion of the public benefit or public benefits identified in the articles of incorporation and of the best interests of those materially affected by the corporation's conduct. The statement shall include:

(1) The objectives the board of directors has established to promote such public benefit or public benefits and interests;

(2) the standards the board of directors has adopted to measure the corporation's progress in promoting such public benefit or public benefits and interests;

(3) objective factual information based on those standards regarding the corporation's success in meeting the objectives for promoting such public benefit or public benefits and interests; and

(4) an assessment of the corporation's success in meeting the objectives and promoting such public benefit or public benefits and interests.

(c) A public benefit corporation shall provide the statement described in subsection (b) to its stockholders at the time prescribed by K.S.A. 17-7503, and amendments thereto, for the filing of the public benefit corporation's annual report.

(d) The statement described in subsection (b) shall be based on a third-party standard. A "third-party standard" means a standard for defining, reporting and assessing promotion of the public benefit or public benefits and interests identified in the public benefit corporation's articles of incorporation that: (1) Is developed by a person or entity that is independent of the public benefit corporation; and (2) is transparent because the following information about the standard is publicly available: (A) The factors considered when measuring the performance of a business; (B) the relative weightings of those factors; and (C) the identity of the persons who developed the standard and who control changes to the standard and the process by which those changes are made. For purposes of this section, the term "independent" means having no material relationship with the public benefit corporation or any of its directors, officers, or affiliates, as determined by the board of the public benefit corporation or a

committee thereof.

(e) A public benefit corporation shall post its most recent statement described in subsection (b) on the public portion of its website, if any, concurrently with the delivery of such statement to its stockholders under subsection (c). If a public benefit corporation does not have a website, it shall provide a copy of such statement, without charge, to any person that requests a copy. The compensation paid to directors and any other financial or proprietary information contained in the statement described in subsection (b) may be omitted from any statement that is publicly posted or provided to any person pursuant to this subsection, other than a statement provided to a stockholder, director or officer.

(f) The articles of incorporation or bylaws of a public benefit corporation may require that the corporation obtain a periodic third-party certification addressing the corporation's promotion of the public benefit or public benefits identified in the articles of incorporation or the best interests of those materially affected by the corporation's conduct, or both.

New Sec. 7. Stockholders of a public benefit corporation owning individually or collectively, as of the date of instituting such derivative suit, at least 2% of the corporation's outstanding shares or, in the case of a corporation with shares listed on a national securities exchange, the lesser of such percentage or shares of at least \$2,000,000 in market value, may maintain a derivative lawsuit to enforce the requirements set forth in section 5(a), and amendments thereto.

New Sec. 8. Sections 1 through 9, and amendments thereto, shall not affect a statute or rule of law that is or would be applicable to any corporation that is organized under the Kansas general corporation code but is not a public benefit corporation, except as provided in section 3, and amendments thereto.

New Sec. 9. Sections 1 through 9, and amendments thereto, shall be part of and supplemental to the Kansas general corporation code, articles 60 through 74 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 10. K.S.A. 2016 Supp. 17-6014 is hereby amended to read as follows: 17-6014. (a) Except as otherwise provided in subsections (b) and (c), the provisions of the Kansas general corporation code shall apply to nonstock corporations in the manner specified in this subsection:

(1) All references to stockholders of the corporation shall be deemed to refer to members of the corporation;

(2) all references to the board of directors of the corporation shall be deemed to refer to the governing body of the corporation;

(3) all references to directors or to members of the board of directors of the corporation shall be deemed to refer to members of the governing body of the corporation; and

(4) all references to stock, capital stock, or shares thereof of a corporation authorized to issue capital stock shall be deemed to refer to memberships of a nonprofit nonstock corporation and to membership interests of any other nonstock corporation.

(b) Subsection (a) shall not apply to:

(1) K.S.A. 17-6002(a)(4), (b)(1) and (b)(2), 17-6009(a), 17-6301, 17-6404, 17-6505, 17-6518, 17-6520(b), 17-6601, 17-6602, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6801, 17-6805, 17-6805a, 17-7001, 17-7002, 17-7503(a)(4) and (b)(4), 17-7504, 17-7505(a)(4) and (b)(4) and 17-7514(c) and K.S.A. 2016 Supp. 17-6014, and

amendments thereto, which apply to nonstock corporations by their terms;

(2) K.S.A. 17-6002(e), the last sentence of 17-6009(b), 17-6401, 17-6402, 17-6403, 17-6405, 17-6406, 17-6407(d), 17-6408, 17-6411, 17-6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6417, 17-6418, 17-6501, 17-6502, 17-6503, 17-6504, 17-6506, 17-6509, 17-6512, 17-6521, 17-6603, 17-6604, 17-6701, 17-6702, 17-6803 and 17-6804 and K.S.A. 2016 Supp. 17-6427, 17-6428 ~~and~~, 17-6429 and section 4, and amendments thereto; and

(3) article 72 and article 73 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.

(c) In the case of a nonprofit nonstock corporation, subsection (a) shall not apply to:

(1) The sections and articles listed in subsection (b);

(2) K.S.A. 17-6002(b)(3), 17-6304(a)(2), 17-6507, 17-6508, 17-6712, 17-7503, 17-7505, 17-7509, 17-7511 and 17-7514 and K.S.A. 2016 Supp. 17-6011(a)(2) and (a)(3), and amendments thereto; and

(3) article 64 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, and sections 1 through 9, and amendments thereto.

(d) For purposes of the Kansas general corporation code:

(1) A "charitable nonstock corporation" is any nonprofit nonstock corporation that is exempt from taxation under § 501(c)(3) of the federal internal revenue code of 1986, 26 U.S.C. § 501(c)(3);

(2) a "membership interest" is, unless otherwise provided in a nonstock corporation's articles of incorporation, a member's share of the profits and losses of a nonstock corporation, or a member's right to receive distributions of the nonstock corporation's assets, or both;

(3) a "nonprofit nonstock corporation" is a nonstock corporation that does not have membership interests; and

(4) a "nonstock corporation" is any corporation organized under the Kansas general corporation code that is not authorized to issue capital stock.

~~(e) This section shall be part of and supplemental to article 60 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto.~~

Sec. 11. K.S.A. 2016 Supp. 17-6712 is hereby amended to read as follows: 17-6712. (a) Any stockholder of a corporation of this state who holds shares of stock on the date of the making of a demand pursuant to subsection (d) with respect to such shares, who continuously holds such shares through the effective date of the merger or consolidation, who has otherwise complied with subsection (d) and who has neither voted in favor of the merger or consolidation nor consented thereto in writing pursuant to K.S.A. 17-6518, and amendments thereto, shall be entitled to an appraisal by the district court of the fair value of the stockholder's shares of stock under the circumstances described in subsections (b) and (c). As used in this section, the word "stockholder" means a holder of record of stock in a corporation; the words "stock" and "share" mean and include what is ordinarily meant by those words; and the words "depository receipt" mean a receipt or other instrument issued by a depository representing an interest in one or more shares, or fractions thereof, solely of stock of a corporation, which stock is deposited with the depository.

(b) Appraisal rights shall be available for the shares of any class or series of stock of a constituent corporation in a merger or consolidation to be effected pursuant to

K.S.A. 17-6701, and amendments thereto, other than a merger effected pursuant to K.S.A. 17-6701(g), and amendments thereto, and, subject to subsection (b)(3), K.S.A. 17-7601(h), 17-6702, 17-6705, 17-6706, 17-6707 and 17-6708, and amendments thereto:

(1) Except as expressly provided in section 3, and amendments thereto, no appraisal rights under this section shall be available for the shares of any class or series of stock, which stock, or depository receipts in respect thereof, at the record date fixed to determine the stockholders entitled to receive notice of the meeting of stockholders to act upon the agreement of merger or consolidation, were either: (A) Listed on a national securities exchange; or (B) held of record by more than 2,000 holders, except that no appraisal rights shall be available for any shares of stock of the constituent corporation surviving a merger if the merger did not require for its approval the vote of the stockholders of the surviving corporation as provided in K.S.A. 17-6701(f), and amendments thereto.

(2) Notwithstanding subsection (b)(1), appraisal rights under this section shall be available for the shares of any class or series of stock of a constituent corporation if the holders thereof are required by the terms of an agreement of merger or consolidation pursuant to K.S.A. 17-6701, 17-6702, 17-6705, 17-6706, 17-6707 and 17-6708, and amendments thereto, to accept for such stock anything except:

(A) Shares of stock of the corporation surviving or resulting from such merger or consolidation, or depository receipts in respect thereof;

(B) shares of stock of any other corporation, or depository receipts in respect thereof, which shares of stock, or depository receipts in respect thereof, or depository receipts at the effective date of the merger or consolidation will be either listed on a national securities exchange or held of record by more than 2,000 holders;

(C) cash in lieu of fractional shares or fractional depository receipts described in subparagraphs (A) and (B); or

(D) any combination of the shares of stock, depository receipts and cash in lieu of fractional shares or fractional depository receipts described in subparagraphs (A), (B) and (C).

(3) In the event all of the stock of a subsidiary Kansas corporation party to a merger effected under K.S.A. 17-6701(h) or 17-6703, and amendments thereto, is not owned by the parent immediately prior to the merger, appraisal rights shall be available for the shares of the subsidiary Kansas corporation.

(4) In the event of an amendment to a corporation's articles of incorporation contemplated by section 3, and amendments thereto, appraisal rights shall be available as contemplated by section 3, and amendments thereto, and the procedures of this section, including those set forth in subsections (d) and (e), shall apply as nearly as practicable, with the word "amendment" substituted for the words "merger or consolidation," and the word "corporation" substituted for the words "constituent corporation" or "surviving or resulting corporation."

(c) Any corporation may provide in its articles of incorporation that appraisal rights under this section shall be available for the shares of any class or series of its stock as a result of an amendment to its articles of incorporation, any merger or consolidation in which the corporation is a constituent corporation or the sale of all or substantially all of the assets of the corporation. If the articles of incorporation contain such a provision, the procedures of this section, including those set forth in subsections (d) and (e), shall

apply as nearly as is practicable.

(d) Appraisal rights shall be perfected as follows:

(1) If a proposed merger or consolidation for which appraisal rights are provided under this section is to be submitted for approval at a meeting of stockholders, the corporation, not less than 20 days prior to the meeting, shall notify each of its stockholders who was such on the record date for notice of such meeting, or such members who received notice in accordance with K.S.A. 17-6705, and amendments thereto, with respect to shares for which appraisal rights are available pursuant to subsection (b) or (c) that appraisal rights are available for any or all of the shares of the constituent corporations, and shall include in such notice a copy of this section and, if one of the constituent corporations is a nonstock corporation, a copy of K.S.A. 2016 Supp. 17-6014, and amendments thereto. Each stockholder electing to demand the appraisal of such stockholder's shares shall deliver to the corporation, before the taking of the vote on the merger or consolidation, a written demand for appraisal of such stockholder's shares. Such demand will be sufficient if it reasonably informs the corporation of the identity of the stockholder and that the stockholder intends thereby to demand the appraisal of such stockholder's shares. A proxy or vote against the merger or consolidation shall not constitute such a demand. A stockholder electing to take such action must do so by a separate written demand as herein provided. Within 10 days after the effective date of such merger or consolidation, the surviving or resulting corporation shall notify each stockholder of each constituent corporation who has complied with this subsection and has not voted in favor of or consented to the merger or consolidation of the date that the merger or consolidation has become effective; or

(2) If the merger or consolidation was approved pursuant to K.S.A. 17-6518, 17-6701(h) or 17-6703, and amendments thereto, then, either a constituent corporation before the effective date of the merger or consolidation or the surviving or resulting corporation within 10 days thereafter shall notify each of the holders of any class or series of stock of such constituent corporation who are entitled to appraisal rights of the approval of the merger or consolidation and that appraisal rights are available for any or all shares of such class or series of stock of such constituent corporation, and shall include in such notice a copy of this section and, if one of the constituent corporations is a nonstock corporation, a copy of K.S.A. 2016 Supp. 17-6014, and amendments thereto. Such notice may, and, if given on or after the effective date of the merger or consolidation, shall, also notify such stockholders of the effective date of the merger or consolidation. Any stockholder entitled to appraisal rights may, within 20 days after the date of mailing of such notice or, in the case of a merger approved pursuant to K.S.A. 17-6701(h), and amendments thereto, within the later of the consummation of the tender or exchange offer contemplated by K.S.A. 17-6701(h), and amendments thereto, and 20 days after the date of mailing of such notice, demand in writing from the surviving or resulting corporation the appraisal of such holder's shares. Such demand will be sufficient if it reasonably informs the corporation of the identity of the stockholder and that the stockholder intends thereby to demand the appraisal of such holder's shares. If such notice did not notify stockholders of the effective date of the merger or consolidation, either: (A) Each such constituent corporation shall send a second notice before the effective date of the merger or consolidation notifying each of the holders of any class or series of stock of such constituent corporation that are entitled to appraisal rights of the effective date of the merger or consolidation; or (B) the surviving or

resulting corporation shall send such a second notice to all such holders on or within 10 days after such effective date; provided, however, that if such second notice is sent more than 20 days following the sending of the first notice or, in the case of a merger approved pursuant to K.S.A. 17-6701(h), and amendments thereto, later than the later of the consummation of the tender or exchange offer contemplated by K.S.A. 17-6701(h), and amendments thereto, and 20 days following the sending of the first notice, such second notice need only be sent to each stockholder who is entitled to appraisal rights and who has demanded appraisal of such holder's shares in accordance with this subsection. An affidavit of the secretary or assistant secretary or of the transfer agent of the corporation that is required to give either notice that such notice has been given shall, in the absence of fraud, be prima facie evidence of the facts stated therein. For purposes of determining the stockholders entitled to receive either notice, each constituent corporation may fix, in advance, a record date that shall be not more than 10 days prior to the date the notice is given, provided, that if the notice is given on or after the effective date of the merger or consolidation, the record date shall be such effective date. If no record date is fixed and the notice is given prior to the effective date, the record date shall be the close of business on the day next preceding the day on which the notice is given.

(e) Within 120 days after the effective date of the merger or consolidation, the surviving or resulting corporation or any stockholder who has complied with subsections (a) and (d) and who is otherwise entitled to appraisal rights, may commence an appraisal proceeding by filing a petition in the district court demanding a determination of the value of the stock of all such stockholders. Notwithstanding the foregoing, at any time within 60 days after the effective date of the merger or consolidation, any stockholder who has not commenced an appraisal proceeding or joined that proceeding as a named party shall have the right to withdraw such stockholder's demand for appraisal and to accept the terms offered upon the merger or consolidation. Within 120 days after the effective date of the merger or consolidation, any stockholder who has complied with the requirements of subsections (a) and (d), upon written request, shall be entitled to receive from the corporation surviving the merger or resulting from the consolidation a statement setting forth the aggregate number of shares not voted in favor of the merger or consolidation and with respect to which demands for appraisal have been received and the aggregate number of holders of such shares. Such written statement shall be mailed to the stockholder within 10 days after such stockholder's written request for such a statement is received by the surviving or resulting corporation or within 10 days after expiration of the period for delivery of demands for appraisal under subsection (d), whichever is later. Notwithstanding subsection (a), a person who is the beneficial owner of shares of such stock held either in a voting trust or by a nominee on behalf of such person may, in such person's own name, file a petition or request from the corporation the statement described in this subsection.

(f) Upon the filing of any such petition by a stockholder, service of a copy thereof shall be made upon the surviving or resulting corporation, which shall within 20 days after such service file in the office of the clerk of the court in which the petition was filed a duly verified list containing the names and addresses of all stockholders who have demanded payment for their shares and with whom agreements as to the value of their shares have not been reached by the surviving or resulting corporation. If the

petition shall be filed by the surviving or resulting corporation, the petition shall be accompanied by such a duly verified list. The clerk of the court, if so ordered by the court, shall give notice of the time and place fixed for the hearing of such petition by registered or certified mail to the surviving or resulting corporation and to the stockholders shown on the list at the addresses therein stated. Such notice shall also be given by one or more publications at least one week before the day of the hearing, in a newspaper of general circulation published in the county in which the court is located or such publication as the court deems advisable. The forms of the notices by mail and by publication shall be approved by the court, and the costs thereof shall be borne by the surviving or resulting corporation.

(g) At the hearing on such petition, the court shall determine the stockholders who have complied with this section and who have become entitled to appraisal rights. The court may require the stockholders who have demanded an appraisal for their shares and who hold stock represented by certificates to submit their certificates of stock to the clerk of the court for notation thereon of the pendency of the appraisal proceedings; and if any stockholder fails to comply with such direction, the court may dismiss the proceedings as to such stockholder.

(h) After the court determines the stockholders entitled to an appraisal, the appraisal proceeding shall be conducted in accordance with the rules of the district court, including any rules specifically governing appraisal proceedings. Through such proceeding the court shall determine the fair value of the shares exclusive of any element of value arising from the accomplishment or expectation of the merger or consolidation, together with interest, if any, to be paid upon the amount determined to be the fair value. In determining such fair value, the court shall take into account all relevant factors. Unless the court in its discretion determines otherwise for good cause shown, interest from the effective date of the merger through the date of payment of the judgment shall be compounded quarterly and shall accrue at 5% over the federal reserve discount rate, including any surcharge, as established from time to time during the period between the effective date of the merger and the date of payment of the judgment. Upon application by the surviving or resulting corporation or by any stockholder entitled to participate in the appraisal proceeding, the court may, in its discretion, proceed to trial upon the appraisal prior to the final determination of the stockholders entitled to an appraisal. Any stockholder whose name appears on the list filed by the surviving or resulting corporation pursuant to subsection (f) and who has submitted such stockholder's certificates of stock to the clerk of the court, if such is required, may participate fully in all proceedings until it is finally determined that such stockholder is not entitled to appraisal rights under this section.

(i) The court shall direct the payment of the fair value of the shares, together with interest, if any, by the surviving or resulting corporation to the stockholders entitled thereto. Payment shall be so made to each such stockholder, in the case of holders of uncertificated stock forthwith, and the case of holders of shares represented by certificates upon the surrender to the corporation of the certificates representing such stock. The court's decree may be enforced as other decrees in the district court may be enforced, whether such surviving or resulting corporation be a corporation of this state or of any state.

(j) The costs of the proceeding may be determined by the court and taxed upon the parties as the court deems equitable in the circumstances. Upon application of a

stockholder, the court may order all or a portion of the expenses incurred by any stockholder in connection with the appraisal proceeding, including, without limitation, reasonable attorney fees and the fees and expenses of experts, to be charged pro rata against the value of all the shares entitled to an appraisal.

(k) From and after the effective date of the merger or consolidation, no stockholder who has demanded appraisal rights as provided in subsection (d) shall be entitled to vote such stock for any purpose or to receive payment of dividends or other distributions on the stock, except dividends or other distributions payable to stockholders of record at a date which is prior to the effective date of the merger or consolidation; provided, however, that if no petition for an appraisal shall be filed within the time provided in subsection (e), or if such stockholder shall deliver to the surviving or resulting corporation a written withdrawal of such stockholder's demand for an appraisal and an acceptance of the merger or consolidation, either within 60 days after the effective date of the merger or consolidation as provided in subsection (e) or thereafter with the written approval of the corporation, then the right of such stockholder to an appraisal shall cease. Notwithstanding the foregoing, no appraisal proceeding in the district court shall be dismissed as to any stockholder without the approval of the court, and such approval may be conditioned upon such terms as the court deems just, except that this provision shall not affect the right of any stockholder who has not commenced an appraisal proceeding or joined that proceeding as a named party to withdraw such stockholder's demand for appraisal and to accept the terms offered upon the merger or consolidation within 60 days after the effective date of the merger or consolidation, as set forth in subsection (e).

(l) The shares of the surviving or resulting corporation to which the shares of such objecting stockholders would have been converted had they assented to the merger or consolidation shall have the status of authorized and unissued shares of the surviving or resulting corporation.

Sec. 12. K.S.A. 2016 Supp. 17-7903 is hereby amended to read as follows: 17-7903. The following documents related to corporations shall be filed with the secretary of state:

- (a) For-profit filings:
- (1) For-profit articles of incorporation as set forth in K.S.A. 17-6002, and amendments thereto;
- (2) professional association articles of incorporation as set forth in K.S.A. 17-2709, 17-2711 and 17-6002, and amendments thereto;
- (3) close corporation articles of incorporation as set forth in K.S.A. 17-6426, 17-7201, 17-7202 and 17-7203, and amendments thereto;
- (4) public benefit corporation articles of incorporation as set forth in section 2, and amendments thereto;
- (5) certificate of validation as set forth in K.S.A. 2016 Supp. 17-6428, and amendments thereto;
- ~~(5)~~(6) foreign for-profit application for authority as set forth in K.S.A. 2016 Supp. 17-7931 and K.S.A. 17-7307 through 17-7510, and amendments thereto;
- ~~(6)~~(7) for-profit annual report as set forth in K.S.A. 17-7503 and 17-7505, and amendments thereto;
- ~~(7)~~(8) professional association annual report as set forth in K.S.A. 17-2718, and amendments thereto;

~~(8)~~(9) for-profit certificate of amendment as set forth in K.S.A. 17-6003, 17-6401, 17-6601, 17-6602 and 17-6603, and amendments thereto;

~~(9)~~(10) amendment to professional associations as set forth in K.S.A. 17-2709, and amendments thereto;

~~(10)~~(11) foreign for-profit corporation certificate of amendment as set forth in K.S.A. 17-7302, and amendments thereto;

~~(11)~~(12) restated articles of incorporation as set forth in K.S.A. 17-6605, and amendments thereto;

~~(12)~~(13) change of registered office or resident agent as set forth in sections K.S.A. 2016 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments thereto;

~~(13)~~(14) for-profit certificate of correction as set forth in K.S.A. 2016 Supp. 17-7912, and amendments thereto;

~~(14)~~(15) mergers as set forth in K.S.A. 17-6701 through 17-6708, and amendments thereto;

~~(15)~~(16) foreign mergers as set forth in K.S.A. 17-7302, and amendments thereto;

~~(16)~~(17) certificate of amendment or termination of merger as set forth in K.S.A. 17-6701, and amendments thereto;

~~(17)~~(18) foreign corporation merger as set forth in K.S.A. 17-7302, and amendments thereto;

~~(18)~~(19) certificate of reinstatement as set forth in K.S.A. 17-7002, and amendments thereto;

~~(19)~~(20) certificate of dissolution prior to commencing business as set forth in K.S.A. 17-6803, and amendments thereto;

~~(20)~~(21) certificate of dissolution by stockholder's meeting as set forth in K.S.A. 17-6804, and amendments thereto;

~~(21)~~(22) certificate of dissolution by written consent as set forth in K.S.A. 17-6804, and amendments thereto;

~~(22)~~(23) foreign certificate of cancellation as set forth in K.S.A. 2016 Supp. 17-7936, and amendments thereto; and

~~(23)~~(24) certificate of revocation of dissolution as set forth in K.S.A. 17-7001, and amendments thereto.

(b) Not-for-profit filings:

(1) Not-for-profit articles of incorporation as set forth in K.S.A. 17-6002, and amendments thereto;

(2) foreign not-for-profit application for authority as set forth in K.S.A. 2016 Supp. 17-7931, and amendments thereto;

(3) not-for-profit annual report as set forth in K.S.A. 17-7504, and amendments thereto;

(4) not-for-profit certificate of amendment as set forth in K.S.A. 17-6602, and amendments thereto;

(5) not-for-profit certificate of correction as set forth in K.S.A. 2016 Supp. 17-7912, and amendments thereto;

(6) not-for-profit change of registered office or resident agent as set forth in K.S.A. 2016 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments thereto;

(7) not-for-profit certificate of reinstatement as set forth in K.S.A. 17-7002, and amendments thereto; and

(8) certificate of dissolution as set forth in K.S.A. 17-6803, 17-6804 and 17-6805,

and amendments thereto.

Sec. 13. K.S.A. 2016 Supp. 17-7919 is hereby amended to read as follows: 17-7919. (a) The name of a corporation, except for banks, savings and loan associations ~~and~~, savings banks and public benefit corporations, shall contain:

~~(a)~~(1) One of the following words: "Association"; "church"; "college"; "company"; "corporation"; "club"; "foundation"; "fund"; "incorporated"; "institute"; "society"; "union"; "university"; "syndicate" or "limited";

~~(b)~~(2) one of the following abbreviations: "Co."; "corp."; "inc." or "Ltd."; or

~~(c)~~(3) words or abbreviations of like import in other languages if they are written in Roman characters or letters.

(b) The name of a public benefit corporation shall contain either or both of one of the words, abbreviations or designations in subsection (a) or:

(1) The words "public benefit corporation";

(2) the abbreviation "P.B.C.";

(3) the designation "PBC"; or

(4) words or abbreviations of like import in other languages if they are written in Roman characters or letters.

Sec. 14. K.S.A. 2016 Supp. 17-6014, 17-6712, 17-7903 and 17-7919 are hereby repealed.";

Also on page 11, in line 30, before the period by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 4; in line 5, by striking "6,112b" and inserting "public benefit corporations; relating to the Kansas general corporation code; business entity standard treatment act; amending K.S.A. 2016 Supp. 17-6014, 17-6712, 17-7903 and 17-7919";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Carmichael, the conference committee report on **HB 2153** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert,

Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Whipple, Whitmer, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Claeys, Wheeler, K. Williams, Wilson.

REPORT ON ENROLLED RESOLUTIONS

HR 6031 reported correctly enrolled and properly signed on May 9, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Wednesday, May 10, 2017.

Journal of the House

SIXTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 10, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 108 members present.

Reps. Frownfelter and Wheeler were excused on verified illness.

Reps. Blex, Burroughs, Elliott, Eplee, Finney, Good, Kelly, Orr, Powell and Weigel were excused on legislative business.

Reps. Bishop, Holscher, Ousley, Pittman and Whipple were excused on excused absence by the Speaker.

Present later: Reps. Blex, Burroughs, Elliott, Eplee, Finney, Frownfelter, Good, Holscher, Kelly, Orr, Ousley, Pittman, Powell, Weigel, Wheeler and Whipple.

Prayer by Chaplain Brubaker:

Lord God,
Once again we stand here before You,
grateful for Your faithfulness
and in need of Your wisdom and discernment.
In Your Word, You declare—
“Let not the wise man boast of his wisdom,
or the strong man boast of his strength,
or the rich man boast of his riches,
but let him who boasts boast about this:
that he understands and knows me,
that I am the Lord,
who exercises kindness justice and righteousness on earth.
For in these I delight.”
May this be the testimony of each one here today.
I pray in Christ’s Name, Amen.
(Jeremiah 9:23-24 - NIV)

The Pledge of Allegiance was led by Rep. Alcalá.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Crum are spread upon the Journal:

Today I am here to recognize some schools from the Haysville School District that have received the Flippen Groups title of Showcase Schools. This deals with a program called "Capturing Kids' Hearts." It is a program that is used in many schools across the nation. There are active schools in 47 states and there have been trainings for schools in all 50 states. Out of these thousands of schools using CKH, 53 were selected as Showcase Schools.

To be a Showcase School schools must show a high level of implementation of "Capturing Kids' Hearts" processes, such as greeting students every day with a hello and a handshake to doing basic things to make students feel that school is truly a safe place. All staff is measured with online surveys and show data that supports the premise that "Capturing Kids' Hearts" has made a significant impact on attendance, discipline, climate/culture, and academics at the schools.

Site visits were made to each nominated school, gathering additional quantitative and qualitative data. The site team interviewed various groups, including students, teachers, administrators and parents. They also used a matrix to gather information during a campus walk-through and conducted an additional survey to gather feedback regarding the perceived climate and culture of the school. CKH equips and empowers teachers with the tools necessary to transform classrooms from the occasional, disruptive, reactive environments, into places where put-downs and criticism dissipate and students' minds become actively engaged in learning.

Something marvelous happens when a student feels understood: openness replaces defensiveness; social barriers begin to dissolve; judging and feelings of being judged are replaced with acceptance and a real connectedness to the school. Their hearts open, their minds engage, and they want to learn.

Out of the 53 schools selected, 7 were Kansas schools. Out of those seven, four are from the district I grew up in, teach in and coach in, and currently one of the districts I have the honor to represent (much of it in my district). Haysville School District 261 had one middle school and three elementary schools named as Showcase Schools.

Today I have invited some administrators, teachers, and a board member to join us in celebrating this wonderful achievement. I have with me Superintendent, Dr. John Burke; Board President, Paige Crum; Communications Director, Liz Hames; Haysville West Middle School, Asst. Principal, Ty Hamilton and teacher, Somer Schmidt; Freeman Elementary, Principal, Dr. Donna Ferguson and teacher, Nichole Harkins; Ruth Clark Elementary, Principal, Carla Wulf and teacher, Steve Miller. And from Nelson Elementary, where I went to school and have had the honor to teach for the past 18 years, Principal, Mike Mitchener and teacher, Ashley Garten.

Please help me congratulate these fantastic educators!

Rep. Crum presented each school representative with a framed House certificate.

REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **SB 126** be amended by substituting a new bill as recommended by the House Committee on Children and Seniors as reported in the Journal of the House on March 23, 2017, and the substitute

bill be amended as recommended by the House Committee on Children and Seniors as reported in the Journal of the House on May 5, 2017, and the substitute bill, as amended by House Committee, be further amended on page 1, in line 14, by striking "a"; also in line 14, by striking "corrective action plan" and inserting "improvements"; in line 32, by striking "alcohol, tobacco and";

On page 2, in line 1, after the semicolon by inserting "and"; in line 3, by striking the semicolon; by striking all in lines 4 through 6; in line 7, by striking all before the period; in line 18, by striking "two members" and inserting "one member"; in line 22, by striking "two members" and inserting "one member"; in line 26, by striking "six" and inserting "eight"; in line 28, by striking "court"; in line 33, by striking "member of the" and inserting "person certified as a"; also in line 33, by striking "CASA association" and inserting "court-appointed special advocate"; in line 36, by striking "and"; in line 37, after "officer" by inserting ";

(G) a foster parent who is a representative of a foster parent organization; and

(H) a family law attorney with experience in providing legal services to parents and grandparents in child in need of care cases";

On page 3, in line 15, after the second "the" by inserting "first"; in line 16, by striking all after "be"; by striking all in line 17; in line 18, by striking all before the period and inserting "appointed by the president of the senate. The roles of chairperson and vice-chairperson shall alternate annually between the members appointed by the speaker of the house of representatives and the president of the senate"; and **H Sub for SB 126** be passed as further amended.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2425, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse or neglect; amending K.S.A. 2016 Supp. 38-2223 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2426, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2016 Supp. 12-4117, 12-4516, 22-4903, 65-4202, as amended by section 22 of 2017 House Bill No. 2055 and 65-6111 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 12-4112a, 12-4117b, 12-4516e, 22-4903a, 65-4202, as amended by section 3 of 2017 House Bill No. 2025 and 65-6111a, by Committee on Appropriations.

MESSAGES FROM THE GOVERNOR

HB 2096, **HB 2098**, **HB 2353**, **HB 2356** approved on May 10, 2017

REPORT ON ENGROSSED BILLS

HB 2153 reported correctly reengrossed May 9, 2017.

REPORT ON ENROLLED BILLS

HB 2085, HB 2301 reported correctly enrolled, properly signed and presented to the Governor on May 9, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, May 11, 2017.

Journal of the House

SIXTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 11, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Reps. Ballard and Powell were excused on legislative business.

Present later: Rep. Powell.

Excused later: Rep. Proehl.

Prayer by guest chaplain, Jermaine Wilson, pastor, Faith Christian Center International, Leavenworth, and guest of Rep. Deere:

Dear heavenly father, we come before you with thankful and grateful hearts. For you are the creator of heaven and earth. It is he who made us and not we ourselves. Behold how good and how pleasant it is for brethren to dwell together in unity. By the name of our Lord Jesus Christ, that ye all speak the same thing, and that there be no divisions among you; but that ye be perfectly joined together in the same mind and in the same judgement. No weapon formed against our country shall prosper; we are more than conquerors to him who loved us. Neither height nor depth nor anything else in all creation, will be able to separate us from the love of God that is in Christ Jesus our Lord. Blessed is the nation whose God is the Lord; and the people whom he hath chosen for his own inheritance.

If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways, then I will hear from heaven, and I will forgive their sin and will heal their land. Our country cries out; forgive us of our sins, create in us a clean heart O Lord and renew us with your righteous spirit. The book of the law shall not depart from our mouth, we shall meditate on it day and night, so that we may be careful to do according to all that is written in it. We must be strong and courageous, we must not be afraid, we will not be discouraged, for the Lord our God will be with us wherever we will go. Our Country will stand together in unity, hope, peace and justice for all mankind. In Jesus' Name Amen.

The Pledge of Allegiance was led by Rep. Miller.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2426**.

Federal and State Affairs: **HB 2425**.

MESSAGES FROM THE SENATE

The Senate not adopts the Conference Committee report on **HB 2067**, requests a conference and appoints Senators Tyson, Kerschen and Holland as second conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2067**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **HB 2067**.

Speaker pro tem Schwab thereupon appointed Reps. Johnson, Phillips and Sawyer as second conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Phillips, **HR 6032**, by Reps. Phillips, Baker, Carlin, Clark, Concannon, Crum, Dierks, Dietrich, Elliott, Eplee, Finch, Francis, Gartner, Hibbard, Holscher, Judd-Jenkins, Kelly, Kuether, Lewis, Neighbor, Parker, Phelps, Proehl, Schreiber, Swanson, Terrell, Wheeler and Wolfe Moore, as follows, was introduced and adopted:

HR 6032—A RESOLUTION commemorating the 100th anniversary of city management in Kansas.

A RESOLUTION commemorating the 100th anniversary of city management in Kansas and designating June 18, 2017, as 100th Anniversary of City Management in Kansas Day.

WHEREAS, On February 17, 1917, Kansas Governor Arthur Capper signed a bill that authorized the city manager form of government for Kansas cities; and

WHEREAS, On March 9, 1917, electors in Wichita and El Dorado voted to adopt the city manager form of government and hired their first city managers on June 18 and July 1, 1917, respectively; and

WHEREAS, Today, the city or county manager form of government has been adopted by voters in 73 Kansas cities and 2 counties, which serves 24% of the Kansas municipal population; and

WHEREAS, In addition to the city manager form of government, cities in Kansas have an additional 97 cities and 20 counties with professional administrators who serve

over 67% of the Kansas municipal population; and

WHEREAS, The Kansas Association of City/County Management is the professional association that represents more than 192 local government administrators who serve Kansas cities and counties. These administrators promote strengthening the quality of local government through professional management; and

WHEREAS, The School of Public Affairs and Administration at the University of Kansas, the Hugo Wall School of Public Affairs at Wichita State University, and the Master of Public Administration program at Kansas State University prepare graduate students to work as professional city managers, city administrators, county managers and county administrators: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commemorate the 100th anniversary of city management in Kansas, and we designate June 18, 2017, as 100th Anniversary of City Management in Kansas Day to show our admiration for professional city managers, city administrators, county managers and county administrators. We wish them continued success in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send ten enrolled copies of this resolution to Representative Phillips.

There being no objection, the following remarks of Rep. Phillips are spread upon the Journal:

Today we are commemorating the 100th anniversary of city management in Kansas.

On February 17, 1917, Kansas Governor, Arthur Capper, signed a bill authorizing the city manager form of government for Kansas cities. Then on March 9, 1917, electors in Wichita and El Dorado voted to adopt the city manager form of government and hired their first city managers on June 18 and July 1, 1917, respectively.

The city or county manager form of government has been adopted by voters in 73 Kansas cities and 2 counties, which serves 24% of the Kansas municipal population.

In addition to the city manager form of government, cities in Kansas have an additional 97 cities and 20 counties with professional administrators who serve over 67% of the Kansas municipal population.

These managers and administrators enhance the quality of local government through professional management. Three universities in Kansas - the University of Kansas, Wichita State University and Kansas State University - offer programs to prepare graduate students to work as professional public administrators.

The House will commemorate the 100th anniversary of city management in Kansas, and designate June 18, 2017, as 100th Anniversary of City Management in Kansas Day to show our admiration for professional city managers, city administrators, county managers and county administrators.

Joining us today are Doug Bach, County Administrator, Unified Government of Wyandotte County; Ron Fehr, City Manager, Manhattan; Doug Gerber, Interim City Manager, Topeka; Roger Holter, City Administrator, Marion; Lou Leone, City Manager, Kiowa; Cherise Tieben, City Manager, Dodge City; Michael Webb, City Manager, Edwardsville; Trey Cocking, City Manager, Atchison; Nickie Lee, Finance Director, Topeka; Reginald Robinson, Director, KU School of Public Affairs; Ray Hummert, Academic Advisor/External Affairs Director, KU School of Public Affairs; and John Nalbandian, Professor Emeritus, KU School of Public Affairs.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Estes to replace former Senator LaTurner as a conferee on **HB 2313**

The Senate announced the appointment of Senator Olson to replace Senator Estes as a conferee on **HB 2313**

The Senate adopts the Conference Committee report on **H Sub for SB 40**.

The Senate adopts the Conference Committee report on **SB 149**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2041** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 6, in line 5, after "(c)" by inserting "(1) Prior to July 1, 2018,"; following line 23, by inserting:

"(2) On and after July 1, 2018, except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$100 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit the first \$15 of such reinstatement fee to the judicial branch nonjudicial salary adjustment fund and of the remaining amount, 29.41% of such moneys to the division of vehicles operating fund, 22.06% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 7.36% to the juvenile alternatives to detention fund created by K.S.A. 79-4803, and amendments thereto, and 41.17% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2016 Supp. 20-1a15, and amendments thereto.";

Also on page 6, in line 31, by striking all after the period; by striking all in lines 32 through 41;

On page 38, following line 38, by inserting:

"Sec. 24. K.S.A. 2016 Supp. 20-1a15 is hereby amended to read as follows: 20-1a15. (a) There is hereby established in the state treasury the judicial branch nonjudicial

salary adjustment fund.

(b) All moneys credited to the judicial branch nonjudicial salary adjustment fund shall be used for compensation of nonjudicial officers and employees of the district courts, court of appeals and the supreme court and shall not be expended for compensation of judges or justices of the judicial branch. ~~Moneys in the fund shall be used only to pay for that portion of the cost of salaries and wages of nonjudicial personnel of the judicial branch, including associated employer contributions, which shall not exceed the difference between the amount of expenditures that would be required under the judicial branch pay plan for nonjudicial personnel in effect prior to the effective date of this act and the amount of expenditures required under the judicial branch pay plan for nonjudicial personnel after the cost-of-living adjustments and the adjustments for upgrades in pay rates for nonjudicial personnel approved by the chief justice of the Kansas supreme court for fiscal year 2015. For fiscal years commencing on and after June 30, 2016, moneys in such fund shall be used only for the amount attributable to maintenance of the judicial branch pay plan for nonjudicial personnel for such adjustments and upgrades approved by the chief justice of the supreme court for fiscal year 2015.~~

(c) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the judicial branch nonjudicial salary adjustment fund interest earnings based on:

- (1) The average daily balance of moneys in the judicial branch nonjudicial salary adjustment fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) All expenditures from the judicial branch nonjudicial salary adjustment fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.";

Also on page 38, in line 39, after the third comma by inserting "20-1a15,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the first semicolon by inserting "disposition of failure to comply with a traffic citation reinstatement fees;" in line 3, after the third comma by inserting "20-1a15,";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Finch, the conference committee report on **HB 2041** was adopted.

On roll call, the vote was: Yeas 98; Nays 24; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Barker, Becker, Bishop, Blex, Brim, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Waymaster, Weber, C., Weigel, Wheeler, K. Williams, Wilson, Wolfe Moore.

Nays: Awerkamp, Burroughs, B. Carpenter, Crum, S., DeGraaf, Finney, Garber, Helgerson, Henderson, Houser, Jacobs, K. Jones, Ohaebosim, R. Powell, Sawyer, Seiwert, Sutton, Terrell, Vickrey, Victors, Ward, Whipple, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: Ballard, Neighbor, Proehl.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Curtis to replace Rep. Ruiz on Committee on House Taxation on May 11, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, May 12, 2017.

Journal of the House

SIXTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 12, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 121 members present.

Rep. Schreiber was excused on legislative business.

Reps. Claeys, Good and Mason were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

All-powerful and knowing God,
I come before You today on behalf
of our leaders who need Your help.
They are in a situation that human wisdom alone isn't able to fix.
There is only one way through this situation
and that is through Your wisdom and help.
Please send Your spirit of wisdom and show them the path to take.
Send Your spirit of revelation to help them understand
what they haven't been able to figure out.
Give them faith to believe You can help them.
I am reminded of the four men
who lowered their lame friend down through the roof
so that Jesus could heal him.
Although they got stuck and held back due to the crowd,
their faith drove them to
persist through all the obstacles
to get their friend to One who could help.
Give our leaders this faith and persistence.
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Finch.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Lusker are spread upon the Journal:

Today I am proud to have as my guests the members of the Girard High School Ladies Trojans Basketball Team. I'd like to recognize these talented young women for winning the 4A State Basketball Championship. Congratulations to: Kelli Cuthbertson,

Olivia Hanson, Calea Augustin, Lauren Franklin, Ashley Ray, Jacey Murphy, Sydnee Crain, Jordanne Ferguson, Gabbi Sands, Allyssa Gardner, Kalyn Flaharty and Brittley Bailey on your big win. I'd also like to mention the scouts and managers of the team: Kynzie Smith, Drake Worrell, Breleigh Harris, Kenzie Coester, Marcy McDonald, Megan Shireman and Brianna Herlocker. And to the All-State, All-Classes Coach of the Year, Brad Herlocker, and assistant coaches Dana Crain and Jessica Ripper.

Please join me in congratulating this championship team.

Mr. Speaker, I'd like to first wish a happy Mother's Day to my wife, my mother, and all mothers. Thank you.

Rep. Lusker presented Coach Herlocker with a framed House certificate.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Orr, as read by Rep. Hoffman, are spread upon the Journal:

I would like to recognize several of the USD 220 staff members who spent countless hours volunteering their time and efforts during the six days Ashland High School was shut down after the devastating wildfire. The fire consumed about 75% of the County. Ashland High School was immediately designated as a shelter and gathering location for the outside volunteers who came, in many different capacities, to help. This fire has since been called the "Starbuck Fire" in Clark County.

In support of this tragic event, this group of USD 220 staff members provided some amazing support, both emotional and physical. This list would include housing 111 firefighters on the busiest night; serving over 600 meals each day; maintaining the cafeteria with snacks and food for the first responders on a 24-hour basis; they collected and organized donations; kept the building as organized as possible and in working condition. They just "got it done."

Allison McPhail, Rebecca Boese, Juanita Encinias, Sarah Hamill, Georgia Rushing, Scott Struble, Brian Crouch, CJ Miracle, and Lexie Miracle – each and every one of them spent the majority of their time working at the school to make sure that the needs of the firefighters and the community were met. Recognition should also go to Deb Pearce who worked tirelessly supporting the transportation of patients at Ashland Hospital, as well as Jason Endicott who helped with deliveries of food and water. Then there was Superintendent of Schools, Jamie Wetig, who did whatever needed to be done, spending days and nights roaming the school, caring for both the community and the many volunteers who came to Clark County to help, and assisting the 16 students whose family homes were destroyed in the fire.

It is my privilege and honor to recognize this group of quiet, behind-the-scenes community servants who gave of themselves in time of need. People who demonstrated the midwestern Kansas rural agriculture values that embody all that is right with society and makes us all proud to be Kansans. Thank you for all that you did and all that you do. God bless you and your endeavors.

Rep. Orr presented his guests with a framed House certificate.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. DeGraaf are spread upon the Journal:

Colleagues, today is a day I have NOT been looking forward to. Today is the day I announce my resignation, effective May the 31st. Today, is a day filled with emotions, ranging from a deep sense of gratitude and thanksgiving for the wonderful experience of serving in this House – the People’s House, to having a sense of grief in the midst of peace and contentment.

As most of you know, I struggle with Parkinson’s Disease. I’m part of that 30% who have no real outward jitters or shaking. To many of you I look normal, some even say I’m looking great. Well, that’s Pete on medication and Pete in Public. What I hide from you is the price my wife, family, and I make to look cheery a few hours of the day. I expend most of my energy in your presence and take naps often. I even have a make shift bed in my office.

I tell you these things not so you feel sorry for me, but to help you understand that people with various kinds of disabilities may look normal, but we still need your patience, forbearance, mercy, forgiveness, and even your long suffering as we deal with our challenges. Thank you, for having extended that to me. In fact, so many of you have been a source of encouragement to my wife Karen and me.

I’m a better person for having lived among you, even those of you with whom I have disagreed. I have passionately tried to live and vote based on the principles and core values that I and many of those I represent hold dear. In most cases, the tension has remained civil. For others, there may still be a need for grace, mercy, and forgiveness. Please know for my part, I meant you no ill and am willing to hear your heart and seek your forgiveness. I wish each of you God’s best. My heart is open and while I will not be leaving for a number of days I will leave this place with very fond memories of you all.

I hope each of you feel the freedom and know that you are welcome at our home anytime. Karen and I will be spending a lot of time there and would love to have you drop by and share a cup of coffee.

Publicly, I want to thank Susan and her staff. I also want to thank Sharon in the Speaker’s Office, our chamber guards and the Highway Patrol for all they do to help us and protect us. Thank you!

With regards to our Revisors and Research Staff, I stand in awe of your dedication, knowledge and the long hours you sacrifice on our behalf. Often when we head off to bed, you are still here working long hours into the night. Thank you!

I will be forever grateful to Gary Deeter who has served alongside me as my committee secretary and office assistant. He has helped me in so many ways. His wisdom, knowledge, comforting prayers, and can-do spirit have carried me and always made me look better than I am. There are many Gary Deeters that serve among us. Thank you!!

In closing, as an immigrant from a distant land, I love this country, our values, our language, and our way of life.

Little did my grandfather imagine when he fought in the Dutch underground during World War II that his grandson would someday serve as a legislator here in this marvelous chamber.

In spite of our current challenges, Kansas is a wonderful place to live, work, and raise a family. You all are a part of assuring it remains so. There are still many issues which concern me. Those I now entrust to you. It has been a pleasure and a tremendous honor. With that I extend a hardy thank you to each of you.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2427, AN ACT concerning adult care homes; relating to licensure; employment; background checks; amending K.S.A. 2016 Supp. 39-970 and repealing the existing section, by Committee on Federal and State Affairs.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Estes to replace former Senator LaTurner as a conferee on **SB 83**.

The Senate announced the appointment of Senator Olson to replace Senator Estes as a conferee on **SB 83**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 23**, **H Sub for SB 126**, **HB 2380**, **HB 2418**, **SB 201**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 23** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 2, in line 16, before "To" by inserting "(a)"; in line 20, after the first comma by inserting "and the funding therefor"; following line 21, by inserting:

"(b) Any state agency may enter into agreements with the attorney general to carry out provisions of this section and section 1, and amendments thereto.";

Also on page 2, by striking all in line 43;

On page 3, by striking all in lines 1 through 3;

On page 15, in line 26, by striking all after "(b)"; by striking all in line 27; in line 28, by striking all before "Upon" and inserting "(1) The insurance commissioner shall appoint a person as securities commissioner no later than September 1, 2017, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, to serve an initial term ending on January 14, 2019."; following line 41, by inserting:

"(2) The securities commissioner shall devote full time to the performance of the duties of the office of the securities commissioner.";

And by renumbering sections accordingly;

And your committee on conference recommends the adoption of this report.

BLAINE FINCH
 FRED PATTON
 JOHN CARMICHAEL
Conferees on part of House

JEFF LONGBINE
 RICHARD BILLINGER
 LYNN W. ROGERS
Conferees on part of Senate

On motion of Rep. Finch, the conference committee report on **SB 23** was adopted.
 Call of the House was demanded.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Highland, Ward.

Present but not voting: None.

Absent or not voting: Claeys, Good, Mason, Schreiber.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 42** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 42, as follows:

On page 4, in line 10, by striking "or" and inserting "and"; in line 11, by striking all after "(B)"; in line 12, by striking "(2)"; in line 13, before the period, by inserting "; or (2) has absconded from supervision";

On page 23, following line 20, by inserting:

"Sec. 12. K.S.A. 2016 Supp. 38-2398 is hereby amended to read as follows: 38-2398. (a) For purposes of determining release of a juvenile from probation, the supreme court, in consultation with the department of corrections, shall establish rules for a system of earned discharge for juvenile probationers to be applied by all community

supervision officers. A probationer shall be awarded earned discharge credits while on probation for each full calendar month of compliance with terms of supervised probation pursuant to the rules developed by the supreme court.

(b) The state of Kansas, the secretary of corrections, the secretary's agents or employees, the office of judicial administration and court services officers shall not be liable for damages caused by any negligent or wrongful act or omission in making the earned discharge credit calculations authorized by this section."

On page 30, in line 12, by striking the first comma and inserting "and"; in line 14, after the fourth comma by inserting "38-2398,";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, by striking the first comma and inserting "and"; in line 11, after the second comma by inserting "38-2398,";

And your committee on conference recommends the adoption of this report.

RUSSELL JENNINGS

JOHN R. WHITMER

DENNIS "BOOG" HIGHBERGER

Conferees on part of House

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

On motion of Rep. Jennings, the conference committee report on **H Sub for SB 42** was adopted.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Jacobs, K. Jones, Smith, E..

Present but not voting: None.

Absent or not voting: Claeys, Good, Mason, Schreiber.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Highland in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Highland, Committee of the Whole report, as follows, was adopted:

Recommended that:

Committee report recommending a substitute bill and committee reports to **SB 126** be adopted; and **H Sub for SB 126** be passed as further amended.

Roll call was demanded on motion of Rep. Whitmer to amend **HB 2380** on page 18, following line 20, by inserting:

"Sec. 4. K.S.A. 2016 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. "Delivery charges" shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. "Direct mail" includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. "Direct mail" does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that

offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North central association of colleges and schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages—~~or~~, tobacco, candy, dietary supplements, soft drinks or food sold through vending machines. "Food and food ingredients" does include bottled water.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A "lease or rental" may include future options to purchase or extend.

(1) "Lease or rental" does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) "Lease or rental" does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage

media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsechief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a

prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

- (A) The seller's cost of the property sold;
- (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
- (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- (D) delivery charges; and
- (E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 2016 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. "Tangible personal property" includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term "telecommunications service" includes such

transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. "Telecommunications service" does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. "900 service" does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United

States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. "Bottled water" is calorie free and does not contain sweeteners or other additives, except that it may contain:

- (1) Antimicrobial agents;
- (2) fluoride;
- (3) carbonation;
- (4) vitamins, minerals and electrolytes;
- (5) oxygen;
- (6) preservatives; and
- (7) only those flavors, extracts or essences derived from a spice or fruit.

"Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(iii) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. "Candy" shall not include any preparation containing flour and shall require no refrigeration.

(jjj) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(lll) "Prepared food" means:

- (1) Food sold in a heated state or heated by the seller;
- (2) two or more food ingredients mixed or combined by the seller for sale as a single item; or
- (3) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

"Prepared food" does not include food that is only cut, repackaged or pasteurized by the seller, and eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of its food code so as to prevent food borne illnesses.

(mmm) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

(nnn) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.

Sec. 5. K.S.A. 2016 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance

any part of the project. Such tax shall be levied upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state, and commencing July 1, 2017, the rendering or furnishing of any services within this state specifically named by law prior to July 1, 2017, and services as described in subsectors 485310, 485320, non-residential cleaning services described in 561720, 713940, 812111, 812112, 812199, 812910 and dating services described in 812990 of the North American industry classification system, 2017 edition;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2016 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of

official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, ~~by any organization exempt from property taxation pursuant to K.S.A. 79-201 Ninth, and amendments thereto,~~ or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, including sales of memberships to government-operated facilities that charge a fee for dues or memberships, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 ~~Eighth and Ninth~~, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation

pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire,

flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) ~~on and after January 1, 2005,~~ the gross receipts received from the sale of ~~prewritten~~ computer software and the sale of the services of modifying, altering, updating or maintaining ~~prewritten~~ computer software, whether the ~~prewritten~~ computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section prior to July 1, 2017; ~~and~~

(w) all sales of charitable raffle tickets in accordance with K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(x) commencing July 1, 2017, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 5.55%. The provisions of this

subsection shall not apply to prepared food, unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries):

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas;

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption; or

(5) bottled water that is not otherwise sold as prepared food.

Sec. 6. K.S.A. 2016 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, which is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital or public hospital authority or nonprofit blood, tissue or organ bank and used exclusively for state, political subdivision, hospital or public hospital authority or nonprofit blood, tissue or organ bank purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing,

enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, which would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and which would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities which are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th

day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, which would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement

parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental prior to July 1, 2017, of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property which become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property which is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the

structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 2016 Supp. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq., or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any

necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, *Second* through *Sixth*. As used in this paragraph, "severing" shall have the meaning ascribed thereto by K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment which is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and which is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this

subsection: (1) "Mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business which meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business which meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" have the meanings respectively ascribed thereto by K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured

homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" shall have the meanings ascribed thereto by K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, which can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 75-3307b, and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, which would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment which are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different

form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish, or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood, or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed, or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds,

patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used:

(A) To receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) to transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) to act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) to guide, control or direct the movement of property undergoing manufacturing or processing;

(E) to test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) to plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) to produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) to package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) to transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) to cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) to provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) to treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) to control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business

for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications, and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Subsections (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an

integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered prior to July 1, 2017, by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low income individuals;

(pp) all sales prior to July 1, 2017, of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization which is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property which will admit the purchaser thereof to any annual event sponsored by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations which are exempt from federal income taxation pursuant to section 501(c)

(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their

family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or

remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station which is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or

remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program which offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center which would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after

December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax which would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible

personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and which do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations which distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been

incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such

property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the

project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization which would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the

project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum which has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city which has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and which would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal

income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing

education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All

refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of

such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or

remodeling facilities for the operation of services for Wichita children's home for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community; and

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an

airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, which would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials which will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019.

Sec. 7. K.S.A. 2016 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who

shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2017, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.5% and 5.55%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the

intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 8. K.S.A. 2016 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%, except that commencing July 1, 2017, such rate shall be 5.55% on food and food ingredients as provided by K.S.A. 79-3603(x), and amendments thereto. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 9. K.S.A. 2016 Supp. 79-3710 is hereby amended to read as follows: 79-3710. (a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed

\$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2017, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.5% and 5.55%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 18, in line 21, by striking "and" and inserting a comma; after "12-192" by inserting ", 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "imposing tax on certain services; repealing certain exemptions; rate of tax on food and food ingredients"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "12-192" by inserting ", 79-3602, 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710"

On roll call, the vote was: Yeas 55; Nays 65; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Awerkamp, Bishop, Burroughs, Carlin, Carmichael, B. Carpenter, Cox, Crum, S., Curtis, Deere, DeGraaf, Ellis, Esau, Finney, Garber, Helgerson, Henderson, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Kuether, Lakin, Landwehr, Lusker, Miller, Murnan, Ohaebosim, Osterman, Parker, Phelps, Pittman, R. Powell, Resman, Sawyer, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Trimmer, Victors, Ward, Weber, C., Weigel, Whipple, Whitmer, Winn.

Nays: Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Blex, Brim, Campbell, Clark, Clayton, Concannon, Corbet, E. Davis, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Francis, Frownfelter, Gallagher, Gartner, Hawkins, Hibbard, Highberger, Highland, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins,

Karleskint, Kelly, Kessinger, Koesten, Lewis, Markley, Mastroni, Neighbor, Orr, Ousley, F. Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Schroeder, Schwab, Sloan, Stogsdill, Thompson, Vickrey, Waymaster, Wheeler, K. Williams, Wilson, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Claeys, Good, Lusk, Mason, Schreiber.

The motion of Rep. Whitmer did not prevail.

On motion of Rep. Williams to amend **HB 2380**, Rep Ward requested the amendment be divided. Rep. Ward subsequently withdrew his motion.

Also, Rep. Miller requested the Williams' amendment be divided into two parts. The amendment was divided.

Roll call was demanded on Part A of the motion of Rep. Williams to amend **HB 2380** as follows:

(a) The gross receipts received from the sale of tangible personal property at retail within this state, and commencing July 1, 2017, the rendering or furnishing of any services within this state specifically named by law prior to July 1, 2017, and services as described in subsectors 488410, 531130, 561440, 561611, 561612, 561621, non-residential cleaning services described in 561720, 713940 and 812910 of the North American industry classification system, 2017 edition;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2016 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, ~~by any organization exempt from property taxation pursuant to K.S.A. 79-201 Ninth, and amendments thereto,~~ or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income

taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, including sales of memberships to government-operated facilities that charge a fee for dues or memberships, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 ~~Eighth and Ninth~~, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the

regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically

transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; ~~and~~

(w) all sales of charitable raffle tickets in accordance with K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

On roll call, the vote was: Yeas 63; Nays 56; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alford, Arnberger, Aurand, Baker, Barker, Becker, Blex, Campbell, Clark, Concannon, E. Davis, Delperdang, Dierks, Dove, Ellis, Esau, Finch, Francis, Gallagher, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Lewis, Markley, Mastroni, Miller, Murnan, Orr, Osterman, F. Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Seiwert, Smith, A., Sutton, Tarwater, Thimesch, Thompson, Waymaster, Weber, C., Weigel, Wheeler, Whitmer, K. Williams.

Nays: Alcalá, Awerkamp, Ballard, Bishop, Brim, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Corbet, Cox, Crum, S., Curtis, Deere, Dietrich, Elliott, Eplee, Finney, Frownfelter, Garber, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, K. Jones, Koesten, Kuether, Landwehr, Lusk, Lusker, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, R. Powell, Rooker, Ruiz, Sawyer, Sloan, Smith, E., Stogsdill, S. Swanson, Terrell, Trimmer, Vickrey, Victors, Ward, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Claeys, DeGraaf, Good, Jacobs, Mason, Schreiber.

The motion to adopt Part A of the Williams' amendment prevailed.

Also, roll call was demanded on Part B of the motion of Rep. Williams to amend **HB 2380** on page 18, following line 20, by inserting:

"Sec. 4. K.S.A. 2016 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement

to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. "Delivery charges" shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. "Direct mail" includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. "Direct mail" does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the North central association of colleges and schools, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages—~~or~~, tobacco, candy, dietary supplements, soft drinks or food sold through vending machines. "Food and food ingredients" does include bottled water.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A "lease or rental"

may include future options to purchase or extend.

(1) "Lease or rental" does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) "Lease or rental" does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically

mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

- (A) The seller's cost of the property sold;
- (B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;
- (C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- (D) delivery charges; and
- (E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

- (A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
- (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
- (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
- (D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third

party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 2016 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. "Tangible personal property" includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to

the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. "Conference bridging service" does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. "Voice mail service" does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. "Telecommunications service" does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of the transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. "900 service" does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. "Bottled water" is calorie free and does not contain sweeteners or other additives, except that it may contain:

- (1) Antimicrobial agents;
- (2) fluoride;
- (3) carbonation;
- (4) vitamins, minerals and electrolytes;
- (5) oxygen;
- (6) preservatives; and
- (7) only those flavors, extracts or essences derived from a spice or fruit.

"Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(iii) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces. "Candy" shall not include any preparation containing flour and shall require no refrigeration.

(jjj) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(lll) "Prepared food" means:

- (1) Food sold in a heated state or heated by the seller;
- (2) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(3) food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

"Prepared food" does not include food that is only cut, repackaged or pasteurized by the seller, and eggs, fish, meat, poultry and foods containing these raw animal foods requiring cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of its food code so as to prevent food borne illnesses.

(mmm) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

(nnn) "Dietary supplement" shall have the same meaning ascribed to it as in K.S.A. 79-3606(jjj), and amendments thereto.

Sec. 5. K.S.A. 2016 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project. Such tax shall be levied upon:

(x) commencing July 1, 2020, and thereafter, the gross receipts from the sale of food and food ingredients shall be taxed at the rate of 5.5%. The provisions of this subsection shall not apply to prepared food, unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas;

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption; or

(5) bottled water that is not otherwise sold as prepared food.

Sec. 6. K.S.A. 2016 Supp. 79-3620 is hereby amended to read as follows: 79-3620. (a) All revenue collected or received by the director of taxation from the taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000

shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2020, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates of 6.5% and 5.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The

provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 7. K.S.A. 2016 Supp. 79-3703 is hereby amended to read as follows: 79-3703. There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5% except that commencing July 1, 2020, such rate shall be 5.5% on food and food ingredients as provided by K.S.A. 79-3603(x), and amendments thereto. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project. All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 8. K.S.A. 2016 Supp. 79-3710 is hereby amended to read as follows: 79-3710.

(a) All revenue collected or received by the director under the provisions of this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On July 1, 2010, the state treasurer shall credit 11.427% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On July 1, 2011, the state treasurer shall credit 11.26% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(3) On July 1, 2012, the state treasurer shall credit 11.233% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.3%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(4) On July 1, 2013, the state treasurer shall credit 17.073% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.15%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(5) On July 1, 2015, the state treasurer shall credit 16.226% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(6) On July 1, 2016, ~~and thereafter~~, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rate of 6.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(7) On July 1, 2020, and thereafter, the state treasurer shall credit 16.154% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates of 6.5% and 5.5%, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund

created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 18, in line 21, by striking "and" and inserting a comma; also in line 21, after "12-192" by inserting ", 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "imposing tax on certain services; rate of tax on food and food ingredients"; in line 3, by striking the first "and" and inserting a comma; also in line 3, after "12-192" by inserting ", 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710"

On roll call, the vote was: Yeas 117; Nays 3; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter,

Gallagher, Garber, Gartner, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Highberger, Schwab, Vickrey.

Present but not voting: None.

Absent or not voting: Claeys, DeGraaf, Good, Mason, Schreiber.

The motion to adopt Part B of the Williams' amendment prevailed.

Also, roll call was demanded on motion of Rep. Whipple to amend **HB 2380** as amended on May 12, 2017, by amendment designated as "fa_2017_hb2380_h_2045", in section 5, subsection (x), by striking "2020" and inserting "2017"; in section 6, subsection (c)(7), by striking "2020" and inserting "2017"; in section 7, by striking "2020" and inserting "2017"; and in section 8, subsection (c)(7), by striking "2020" and inserting "2017"

On roll call, the vote was: Yeas 60; Nays 61; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Awerkamp, Ballard, Bishop, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Crum, S., Curtis, Deere, Dierks, Esau, Finney, Frownfelter, Garber, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Houser, Humphries, Jacobs, K. Jones, Judd-Jenkins, Koesten, Kuether, Lakin, Landwehr, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, Phelps, Pittman, R. Powell, Rooker, Ruiz, Sawyer, Smith, E., Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Baker, Barker, Becker, Blex, Brim, Campbell, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Hawkins, Hibbard, Highland, Hineman, Hoffman, Huebert, Jennings, Johnson, Karleskint, Kelly, Kessinger, Lewis, Markley, Mastroni, Orr, F. Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Claeys, Good, Mason, Schreiber.

The motion of Rep. Whipple did not prevail.

Also, roll call was demanded on motion of Rep. Pittman to amend **HB 2380** as amended on May 12, 2017, by amendment designated as "fa_2017_hb2380_h_2045" in section 5, subsection (a) by striking "713940"; in subsection (m)(1), after "subdivision," by inserting "by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto,"; in subsection (n) by striking "including sales of memberships to government-operated facilities that are charged a fee for dues or memberships,"; in subsection (n)(1), after "K.S.A. 79-201 *Eighth*" by inserting "and *Ninth*"

On roll call, the vote was: Yeas 68; Nays 52; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Carlin, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finney, Frownfelter, Gallagher, Gartner, Helgerson, Hibbard, Highberger, Hodge, Holscher, Judd-Jenkins, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lusk, Lusker, Markley, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Pittman, Ralph, Rooker, Ruiz, Sawyer, Seiwert, Sloan, Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Amberger, Aurand, Awerkamp, Barker, Blex, Campbell, Carmichael, B. Carpenter, E. Davis, DeGraaf, Delperdang, Esau, Finch, Francis, Garber, Hawkins, Henderson, Highland, Hineman, Hoffman, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Karleskint, Kelly, Lewis, Mastroni, Orr, Osterman, F. Patton, R. Powell, Proehl, Rafie, Rahjes, Resman, Ryckman, Schroeder, Schwab, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Claeys, Good, Huebert, Mason, Schreiber.

The motion of Rep. Pittman prevailed; and **HB 2380** be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 86**, as amended by Senate Committee of the Whole, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 86," as follows:

"House Substitute for SENATE BILL NO. 86

By Committee on Federal and State Affairs

"AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 40-4801 and K.S.A. 2016 Supp. 40-4802, 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections; reviving K.S.A. 2016 Supp. 44-1615; also repealing K.S.A. 40-4801, as amended by section 4 of 2017 House Substitute for Senate Bill No. 70, and K.S.A. 2016 Supp. 40-4802, as amended by section 5 of 2017 House Substitute for Senate Bill No. 70, 44-1601, as amended by section 6 of 2017 House Substitute for Senate Bill No. 70, 44-1602, as amended by section 7 of 2017 House Substitute for Senate Bill No. 70, 44-1603, as amended by section 8 of 2017 House Substitute for Senate Bill No. 70, 44-1604, as amended by section 9 of 2017 House Substitute for Senate Bill No. 70, 44-1607, as amended by section 10 of 2017 House Substitute for Senate Bill No. 70, 44-1610, as amended by section 11 of 2017 House Substitute for Senate Bill No. 70, 44-1613, as amended by section 12 of 2017 House Substitute for Senate Bill No. 70, 44-1614, as amended by section 13 of 2017 House Substitute for Senate Bill No. 70, 44-1615, as revived by section 14 of this act, and sections 1, 2 and 3 of 2017 House Substitute for Senate Bill No. 70.";

And the substitute bill be passed.

(**H Sub for SB 86** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2416** be amended on page 1, in line 7, by striking "year" and inserting "years"; also in line 7, by striking "and all tax years thereafter" and inserting "through 2021"; in line 11, after the second comma by inserting "and before January 1, 2022,"; in line 13, after the period by inserting "In no event shall the total amount of cumulative credits allowed under this section exceed \$5,000,000 for all tax years that the credit remains in effect.";

On page 2, in line 3, by striking "10%" and inserting "30%";

On page 3, following line 3, by inserting:

"(e) The secretary of revenue shall report to the house committee on taxation and the senate committee on assessment and taxation on or before February 1, 2019, 2020 and 2021, concerning the implementation and effectiveness of the credit provided in this section."; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2424** be amended on page 1, following line 6, by inserting:

"New Section 1. (a) The following described property, to the extent herein specified, shall be exempt from all property taxes levied under the laws of the state of Kansas: All buildings, together with the land upon which the buildings are located, and all tangible personal property associated therewith, owned by a redevelopment authority established as a body corporate and politic pursuant to K.S.A. 19-4901 et seq., and amendments thereto, that is located in a redevelopment district within a former federal enclave and is leased to a business and thereafter used exclusively for the purpose of: (1) Manufacturing articles of commerce; (2) conducting research and development; or (3) processing and storing goods or commodities that are sold or traded in interstate commerce.

(b) In accordance with K.S.A. 19-4904, and amendments thereto, a redevelopment authority may file a request for exemption under the provisions of this section pursuant to K.S.A. 79-213, and amendments thereto, only with approval of the board of county commissioners by resolution.

(c) An exemption from ad valorem taxes granted pursuant to subsection (a) shall be in effect for not more than 10 calendar years after the calendar year in which the business commences its operations or the calendar year in which the expansion of an existing business is completed, as the case may be.

(d) This section is adopted pursuant to section 13(d) of article 11 of the constitution of the state of Kansas, and shall be part of and supplemental to article 2 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after the semicolon by inserting "exemptions, certain property located in a former federal enclave;"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 146**, as amended by Senate Committee of the Whole, be amended on page 1, by striking all in lines 8 through 23;

On page 2, in line 27, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after "schools"; in line 3, by striking the first "property"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 97, by Representative Karleskint, commending William Henry Turnbaugh on his service to the Kansas House of Representatives, 39th District, 1989 to 1991;

Request No. 98, by Representative Rahjes, congratulating The Phillips County Review on receiving nine top Kansas Press Association Awards of Excellence;

Request No. 99, by Representative Trimmer, congratulating Peggy Craig on her induction into the 2017 Kansas Teachers' Hall of Fame;

Request No. 100, by Representatives Murnun and Lusker, congratulating Pittsburg State Women's Track Team on winning the 2016 NC AA Division II National Championship;

Request No. 101, by Representative Lusker, congratulating Girard High School Ladies Basketball Team on winning the 4A State Basketball Championship;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

REPORT ON ENGROSSED BILLS

HB 2041 reported correctly engrossed May 12, 2017.

REPORT ON ENROLLED BILLS

HB 2153 reported correctly enrolled, properly signed and presented to the Governor on May 12, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Monday, May 15, 2017.

Journal of the House

SIXTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 15, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 120 members present.

Rep. Stogsdill was excused on verified illness.

Reps. Concannon, DeGraaf, Hawkins and Mason were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Our Gracious Loving Lord God,
thank You for this, another beautiful Spring day
with which You have blessed us.
As these leaders continue meeting to tackle the tough decisions,
remind them of the encouraging words of the Psalmist:
“the signposts of God are clear
and point out the right road.
The life-maps of God are right,
showing the way to joy.
The directions of God are plain,
giving light to the eyes.
The decisions of God are accurate
enduring forever.”
I ask that You will direct their thoughts, words & decisions.
In Your Son’s Name I pray, Amen.
(Psalm 19:7-9, The Message)

The Pledge of Allegiance was led by Rep. Schreiber.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:
Federal and State Affairs: **HB 2427**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2380, AN ACT concerning sales and compensating use tax; relating to city and county retailers' sales tax, Marion county; imposing tax on certain services; rate of tax on food and food ingredients; amending K.S.A. 2016 Supp. 12-187, 12-189, 12-192, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections,

was considered on final action.

On roll call, the vote was: Yeas 78; Nays 42; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Barker, Becker, Blex, Brim, Burroughs, Campbell, Carmichael, Claeys, Clark, Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Good, Hibbard, Highland, Hineman, Hoffman, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mastroni, Miller, Murnan, Orr, Osterman, Patton, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, A. Smith, E. Smith, Sutton, Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Weber, Weigel, Wheeler, Williams, Wolfe Moore.

Nays: Awerkamp, Ballard, Bishop, Carlin, Carpenter, Clayton, Corbet, Cox, Crum, Curtis, Dove, Finney, Frownfelter, Garber, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Houser, Jacobs, Jones, Kuether, Lusk, Lusker, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Powell, Ruiz, Sawyer, Terrell, Victors, Ward, Whipple, Whitmer, Wilson, Winn.

Present but not voting: None.

Absent or not voting: Concannon, DeGraaf, Hawkins, Mason, Stogsdill.

The bill passed, as amended.

EXPLANATION OF VOTE

MR. SPEAKER: I vote No on **HB 2380**. I support the goals of broadening the tax base and eliminating the food sales tax, but this is not the way to get there. Here, the groups to be subjected to taxation were selected by a handful of people and the revenue gained serves primarily to reduce the likelihood of income tax reform, while the tax savings to a family of four, in the unlikely event that it actually materializes, will be around a dollar a week. These changes should be done as part of a comprehensive tax plan with full hearings. – DENNIS “BOOG” HIGHBERGER, ANNIE KUETHER, ELIZABETH BISHOP, PAM CURTIS, CINDY NEIGHBOR, JARROD OUSLEY

H Sub for SB 126, AN ACT establishing the foster care task force, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, Curtis, Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, A. Smith, E. Smith, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel,

Wheeler, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, DeGraaf, Hawkins, Mason, Stogsdill.

The substitute bill passed, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2053**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2053** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2053, as follows:

On page 1, by striking all in lines 6 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 19; following line 19, by inserting:

"New Section 1. The provisions of sections 1 through 14, and amendments thereto, shall be known and may be cited as the crisis intervention act.

New Sec. 2. When used in the crisis intervention act:

(a) "Behavioral health professional" includes a physician, physician assistant, psychologist, qualified mental health professional or licensed addiction counselor.

(b) "Head of a crisis intervention center" means the administrative director of a crisis intervention center or a behavioral health professional designated by such person.

(c) "Law enforcement officer" shall have the meaning ascribed to it in K.S.A. 22-2202, and amendments thereto.

(d) "Licensed addiction counselor" shall have the meaning ascribed to it in K.S.A. 59-29b46(d), (e) or (f), and amendments thereto.

(e) "Crisis intervention center" means any entity licensed by the Kansas department for aging and disability services that is open 24 hours a day, 365 days a year, equipped to serve voluntary and involuntary individuals in crisis due to mental illness, substance abuse or a co-occurring condition, and that uses certified peer specialists.

(f) "Crisis intervention center service area" means the counties to which the crisis intervention center has agreed to provide service.

(g) "Physician" means a person licensed to practice medicine and surgery as provided for in the Kansas healing arts act or a person who is employed by a state psychiatric hospital or by an agency of the United States and who is authorized by law to practice medicine and surgery within such hospital or agency.

(h) "Psychologist" means a licensed psychologist, as defined by K.S.A. 74-5302, and amendments thereto.

(i) "Qualified mental health professional" shall have the meaning ascribed to it in K.S.A. 59-2946(j), and amendments thereto.

(j) "Treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to

provide such service as an independent practitioner or under the supervision of such practitioner; and the broad range of emergency, outpatient, intermediate and inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological and social service care, vocational rehabilitation and career counseling, which may be extended to persons with an alcohol or substance abuse problem.

(k) "Domestic partner" means a person with whom another person maintains a household and an intimate relationship, other than a person to whom such person is legally married.

(l) "Physician assistant" means a person licensed to practice medicine and surgery as a physician assistant by the state board of healing arts.

New Sec. 3. (a) The fact that a person has been detained for emergency observation and treatment under this act shall not be construed to mean that such person shall have lost any civil right such person would otherwise have as a resident or citizen, any property right or legal capacity, except as may be specified within any court order or as otherwise limited by the provisions of this act or the reasonable policies which the head of a crisis intervention center may, for good cause shown, find necessary to make for the orderly operations of that facility. No person held in custody under the provisions of this act shall be denied the right to apply for a writ of habeas corpus. No judicial action taken as part of the procedure provided in section 8(c), and amendments thereto, shall constitute a finding by the court.

(b) There shall be no implication or presumption that a patient within the terms of this act is, for that reason alone, a person in need of a guardian or a conservator, or both, as provided in K.S.A. 59-3050 through 59-3097, and amendments thereto.

New Sec. 4. Nothing in this act shall be construed to prohibit a person with capacity to do so from making an application for admission as a voluntary patient to a crisis intervention center. Any person desiring to do so shall be afforded an opportunity to consult with such person's attorney prior to making any such application. If the head of the crisis intervention center accepts the application and admits the person as a voluntary patient, then the head of the crisis intervention center shall notify, in writing, the person's legal guardian, if known.

New Sec. 5. Any law enforcement officer who takes a person into custody pursuant to K.S.A. 59-2953 or 59-29b53, and amendments thereto, may transport such person to a crisis intervention center if the officer is in a crisis intervention center service area. The crisis intervention center shall not refuse to accept any person for evaluation if such person is brought to the crisis intervention center by a law enforcement officer and such officer's jurisdiction is in the crisis intervention center's service area. If a law enforcement officer is not in a crisis intervention center service area or chooses not to transport the person to a crisis intervention center, then the officer shall follow the procedures set forth in the care and treatment act for persons with an alcohol or substance abuse problem, K.S.A. 59-29b45 et seq., and amendments thereto.

New Sec. 6. (a) A crisis intervention center may admit and detain any person 18 years of age or older who is presented for emergency observation and treatment upon the written application of a law enforcement officer.

(b) An emergency observation and treatment application shall be made on a form set forth by the secretary for aging and disability services or a locally developed form approved by the secretary. The original application shall be kept in the regular course of business with the law enforcement agency, and a copy shall be provided to the crisis

intervention center and to the patient. The application shall state:

- (1) The name and address of the person sought to be admitted, if known;
- (2) the name and address of the person's spouse, domestic partner or nearest relative, if known;
- (3) the applicant's belief that the person may be a mentally ill person subject to involuntary commitment as defined in K.S.A. 59-2946, and amendments thereto, a person with an alcohol or substance abuse problem subject to involuntary commitment as defined in K.S.A. 59-29b46, and amendments thereto, or a person with co-occurring conditions, and because of such mental illness, alcohol or substance abuse problem or co-occurring conditions, is likely to cause harm to self or others if not immediately detained;
- (4) the factual circumstances in support of that belief and the factual circumstances under which the person was taken into custody, including any known pending criminal charges; and
- (5) whether the person has a wellness recovery action plan or psychiatric advance directive, if known.

New Sec. 7. (a) A crisis intervention center may evaluate, admit and detain any person 18 years of age or older who is presented for emergency observation and treatment upon the written application of any adult.

(b) An emergency observation and treatment application shall be made on a form set forth by the secretary for aging and disability services or a locally developed form approved by the secretary. The original application shall be kept by the applicant, and a copy shall be provided to the crisis intervention center and to the patient. The application shall state:

- (1) The name and address of the person sought to be admitted, if known;
- (2) the name and address of the person's spouse, domestic partner or nearest relative, if known;
- (3) the applicant's belief that the person may be a mentally ill person subject to involuntary commitment as defined in K.S.A. 59-2956, and amendments thereto, a person with an alcohol or substance abuse problem subject to involuntary commitment as defined in K.S.A. 59-29b46, and amendments thereto, or a person with co-occurring conditions, and because of such mental illness, alcohol or substance abuse problem or co-occurring conditions, is likely to cause harm to self or others if not immediately detained;
- (4) the factual circumstances in support of that belief and the factual circumstances under which the person was presented to the crisis intervention center;
- (5) any known pending criminal charges;
- (6) any known prior psychiatric, medical or substance use history; and
- (7) whether the person has a wellness recovery action plan or psychiatric advance directive, if known.

New Sec. 8. (a) The head of the crisis intervention center shall evaluate a person admitted pursuant to this act within four hours of admission to determine whether the person is likely to be a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, a person with an alcohol and substance abuse problem subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-29b46, and amendments thereto, or a person with co-occurring conditions, and because of such mental illness, alcohol or substance abuse

problem or co-occurring conditions, is likely to cause harm to self or others if allowed to remain at liberty. The head of the crisis intervention center shall inquire whether the person has a wellness recovery action plan or psychiatric advance directive.

(b) A behavioral health professional shall evaluate a person admitted pursuant to this act not later than 23 hours after admission and again not later than 48 hours after admission to determine if the person continues to meet the criteria described in subsection (a). The 23-hour evaluation must be performed by a different behavioral health professional from the one who conducted the initial evaluation under subsection (a).

(c) Not later than 48 hours after admission, if the head of the crisis intervention center determines that the person continues to meet the criteria described in subsection (a), then the head of the crisis intervention center shall file an affidavit to that effect for review by the district court in the county where the crisis intervention center is located. The affidavit shall include or be accompanied by the written application for emergency observation and treatment, information about the person's original admission to the crisis intervention center, the care and treatment provided to the person, and the factual circumstances in support of the evaluating professional's opinion that the person meets the criteria described in subsection (a). After reviewing the affidavit and any accompanying documentation, the court shall order the release of the person or order that the person may continue to be detained and treated at the crisis intervention center, subject to subsections (d) and (e).

(d) The head of the crisis intervention center shall discharge a person admitted pursuant to this act at any time the person no longer meets the criteria described in subsection (a) and, except as provided in subsection (e), not later than 72 hours after admission. Upon discharge, the crisis intervention center shall make reasonable accommodations for the person's transportation.

(e) Not later than 72 hours after admission, if the head of the crisis intervention center determines that a person admitted pursuant to this act continues to meet the criteria described in subsection (a), then the head of the crisis intervention center shall immediately file the petition provided for in K.S.A. 59-2957, and amendments thereto, or K.S.A. 59-29b57, and amendments thereto, and shall find appropriate placement for the individual, including, but not limited to, community hospitals equipped to take involuntary commitments or the designated state hospital. If the 72-hour period ends after 5 p.m., then the petition must be filed by the close of business of the first day thereafter that the district court is open for the transaction of business.

New Sec. 9. (a) Whenever any person is involuntarily admitted to or detained at a crisis intervention center pursuant to this act, the head of the crisis intervention center shall:

(1) Immediately advise the person in custody that such person is entitled to immediately contact the person's legal counsel, legal guardian, personal physician or psychologist, minister of religion, including a Christian Science practitioner, or immediate family as defined in subsection (b) or any combination thereof. If the person desires to make such contact, the head of the crisis intervention center shall make available to the person reasonable means for making such immediate communication;

(2) provide notice of the person's involuntary admission including a copy of the documentation authorizing the involuntary admission to that person's attorney or legal guardian, immediately upon learning of the existence and whereabouts of such attorney

or legal guardian, unless that attorney or legal guardian was the person who signed the application resulting in the patient's admission. If authorized by the patient pursuant to K.S.A. 65-5601 through 65-5605, and amendments thereto, the head of the crisis intervention center also shall provide notice to the patient's immediate family, as defined in subsection (b), immediately upon learning of the existence and whereabouts of such family, unless the family member to be notified was the person who signed the application resulting in the patient's admission; and

(3) immediately advise the person in custody of such person's rights provided for in section 14, and amendments thereto.

(b) "Immediate family" means the spouse, domestic partner, adult children or children, parent or parents, and sibling or siblings, or any combination thereof.

New Sec. 10. (a) Medications and other treatments shall be prescribed, ordered and administered only in conformity with accepted clinical practice. Medication shall be administered only upon the written order of a physician or upon a verbal order noted in the patient's medical records and subsequently signed by the physician. The attending physician shall review regularly the drug regimen of each patient under the physician's care and shall monitor any symptoms or harmful side effects. Prescriptions for psychotropic medications shall be written with a termination date not exceeding 30 days thereafter, but may be renewed.

(b) During the course of treatment, the responsible physician or psychologist or such person's designee shall reasonably consult with the patient or the patient's legal guardian and give consideration to the views the patient or legal guardian expresses concerning treatment and any alternatives, including views expressed in any wellness recovery action plan or psychiatric advance directive. No medication or other treatment may be administered to any voluntary patient without the patient's consent or the consent of such patient's legal guardian.

(c) Consent for medical or surgical treatments not intended primarily to treat a patient's mental disorder shall be obtained in accordance with applicable law.

(d) Whenever a patient receiving treatment pursuant to this act objects to taking any medication prescribed for psychiatric treatment, and after full explanation of the benefits and risks of such medication such objection continues, the medication may be administered over the patient's objection. Such objection shall be recorded in the patient's medical record.

(e) In no case shall experimental medication be administered without the patient's consent, which consent shall be obtained in accordance with section 12(a)(6), and amendments thereto.

New Sec. 11. (a) Restraints or seclusion shall not be applied to a patient unless it is determined by the head of the crisis intervention center or a physician or psychologist to be necessary to prevent immediate substantial bodily injury to the patient or others and that other alternative methods to prevent such injury are not sufficient to accomplish this purpose. Restraints or seclusion shall never be used as a punishment or for the convenience of staff. The extent of the restraints or seclusion applied to the patient shall be the least restrictive measure necessary to prevent such injury to the patient or others, and the use of restraint or seclusion in a crisis intervention center shall not exceed three hours without medical reevaluation, except that such medical reevaluation shall not be required, unless necessary, between the hours of 12:00 midnight and 8:00 a.m. When restraints or seclusion are applied, there shall be monitoring of the patient's condition at

a frequency determined by the treating physician or psychologist, which shall be no less than once per each 15 minutes. The head of the crisis intervention center or a physician or psychologist shall sign a statement explaining the treatment necessity for the use of any restraint or seclusion and shall make such statement a part of the permanent treatment record of the patient.

(b) The provisions of subsection (a) shall not prevent, for a period not exceeding two hours without review and approval thereof by the head of the crisis intervention center or a physician or psychologist:

(1) The use of such restraints as necessary for a patient who is likely to cause physical injury to self or others without the use of such restraints;

(2) the use of restraints when needed primarily for examination or treatment or to ensure the healing process; or

(3) the use of seclusion as part of a treatment methodology that calls for time out when the patient is refusing to participate in treatment or has become disruptive of a treatment process.

(c) As used in this section:

(1) "Restraints" means the application of any device, other than human force alone, to any part of the body of the patient for the purpose of preventing the patient from causing injury to self or others; and

(2) "seclusion" means the placement of a patient, alone, in a room, where the patient's freedom to leave is restricted and where the patient is not under continuous observation.

New Sec. 12. (a) Every patient being treated in any crisis intervention center, in addition to all other rights preserved by the provisions of the crisis intervention act, shall have the following rights:

(1) To wear the patient's own clothes, keep and use the patient's own personal possessions, including toilet articles, and keep and be allowed to spend the patient's own money;

(2) to communicate by all reasonable means with a reasonable number of persons at reasonable hours of the day and night, including both to make and receive confidential telephone calls and by letter, both to mail and receive unopened correspondence, except that if the head of the crisis intervention center denies a patient's right to mail or to receive unopened correspondence under the provisions of subsection (b), such correspondence shall be opened and examined in the presence of the patient;

(3) conjugal visits, if facilities are available for such visits;

(4) to receive visitors in reasonable numbers and at reasonable times each day;

(5) to refuse involuntary labor other than the housekeeping of the patient's own bedroom and bathroom, provided that nothing herein shall be construed to prohibit a patient from performing labor as part of a therapeutic program to which the patient has given their written consent and for which the patient receives reasonable compensation;

(6) not to be subject to such procedures as psychosurgery, electroshock therapy, experimental medication, aversion therapy or hazardous treatment procedures without the written consent of the patient;

(7) to have explained the nature of all medications prescribed, the reason for the prescription and the most common side effects and, if requested, the nature of any other treatment ordered;

(8) to communicate by letter with the secretary for aging and disability services, the

head of the crisis intervention center and any court, attorney, physician, psychologist, qualified mental health professional, licensed addiction counselor or minister of religion, including a Christian Science practitioner. All such communications shall be forwarded at once to the addressee without examination and communications from such persons shall be delivered to the patient without examination;

(9) to contact and consult privately with the patient's physician, psychologist, qualified mental health professional, licensed addiction counselor, minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time;

(10) to be visited by the patient's physician, psychologist, qualified mental health professional, licensed addiction counselor, minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time;

(11) to be informed orally and in writing of such patient's rights under this section upon admission to a crisis intervention center; and

(12) to be treated humanely, consistent with generally accepted ethics and practices.

(b) The head of the crisis intervention center may, for good cause only, restrict a patient's rights under this section, except that the rights enumerated in subsection (a)(5) through (12), and the right to mail any correspondence that does not violate postal regulations, shall not be restricted by the head of the crisis intervention center under any circumstances. Each crisis intervention center shall adopt policies governing the conduct of all patients being treated in such crisis intervention center, which regulations shall be consistent with the provisions of this section. A statement explaining the reasons for any restriction of a patient's rights shall be immediately entered on such patient's medical record and copies of such statement shall be made available to the patient, and to the patient's attorney. In addition, notice of any restriction of a patient's rights shall be communicated to the patient in a timely manner.

(c) Any person willfully depriving any patient of the rights protected by this section, except for the restriction of such rights in accordance with the provisions of subsection (b) or in accordance with a properly obtained court order, shall be guilty of a class C misdemeanor.

New Sec. 13. Any district court records and any treatment records or medical records of any person who has been admitted to a crisis intervention center pursuant to this act that are in the possession of any district court or crisis intervention center treatment facility shall be privileged and shall be not disclosed except as provided under K.S.A. 59-2979, and amendments thereto.

New Sec. 14. Any person or law enforcement agency, governing body, crisis intervention center, community mental health center or personnel acting in good faith and without negligence shall be free from all liability, civil or criminal, that might arise out of acting or declining to act pursuant to the crisis intervention act. Any person who, for a corrupt consideration or advantage, or through malice, shall make or join in making or advise the making of any false petition, report or order provided for in the crisis intervention act, shall be guilty of a class A misdemeanor.

Sec. 15. K.S.A. 2016 Supp. 39-2001 is hereby amended to read as follows: 39-2001. The purpose of this act is the development, establishment and enforcement of standards:

(a) For the care, treatment, health, safety, welfare and comfort of individuals residing in or receiving treatment or services provided by residential care facilities, residential and day support facilities, private and public psychiatric hospitals,

psychiatric residential treatment facilities, community mental health centers, crisis intervention centers and providers of other disability services licensed by the secretary for aging and disability services; and

(b) for the construction, maintenance or operation, or any combination thereof, of facilities, hospitals, centers and providers of services that will promote safe and adequate accommodation, care and treatment of such individuals.

Sec. 16. K.S.A. 2016 Supp. 39-2002 is hereby amended to read as follows: 39-2002. As used in this act, the following terms shall have the meanings ascribed to them in this section:

(a) "Center" means a community mental health center or crisis intervention center.

(b) "Community mental health center" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(c) "Crisis intervention center" means an entity that is open 24 hours a day, 365 days a year, equipped to serve voluntary and involuntary individuals in crisis due to mental illness, substance abuse or co-occurring conditions, and that uses certified specialists.

(d) "Department" means the department for aging and disability services.

~~(e)~~(e) "Facility" means any place other than a center or hospital that meets the requirements as set forth by regulations created and adopted by the secretary, where individuals reside and receive treatment or services provided by a person or entity licensed under this act.

~~(f)~~(f) "Hospital" means a psychiatric hospital.

~~(g)~~(g) "Individual" means a person who is the recipient of behavioral health, intellectual disabilities, developmental disabilities or other disability services as set forth in this act.

~~(h)~~(h) "Licensee" means one or more persons or entities licensed by the secretary under this act.

~~(i)~~(i) "Licensing agency" means the secretary for aging and disability services.

~~(j)~~(j) "Other disabilities" means any condition for which individuals receive home and community based waiver services.

~~(k)~~(k) "Provider" means a person, partnership or corporation employing or contracting with appropriately credentialed persons that provide behavioral health, excluding substance use disorder services for purposes of this act, intellectual disability, developmental disability or other disability services in accordance with the requirements as set forth by rules and regulations created and adopted by the secretary.

~~(l)~~(l) "Psychiatric hospital" means an institution, excluding state institutions as defined in K.S.A. 76-12a01, and amendments thereto, that is primarily engaged in providing services, by and under the supervision of qualified professionals, for the diagnosis and treatment of mentally ill individuals, and the institution meets the licensing requirements as set forth by rules and regulations created and adopted by the secretary.

~~(m)~~(m) "Psychiatric residential treatment facility" means any non-hospital facility with a provider agreement with the licensing agency to provide the inpatient services for individuals under the age of 21 who will receive highly structured, intensive treatment for which the licensee meets the requirements as set forth by regulations

created and adopted by the secretary.

~~(m)~~(n) "Residential care facility" means any place or facility, or a contiguous portion of a place or facility, providing services for two or more individuals not related within the third degree of relationship to the administrator, provider or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and supervised nursing care to compensate for activities of daily living limitations, and which place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of an individual's independence, including crisis residential care facilities.

~~(n)~~(o) "Secretary" means the secretary for aging and disability services.

~~(o)~~(p) "Services" means the following types of behavioral health, intellectual disability, developmental disability and other disability services, including, but not limited to: Residential supports, day supports, care coordination, case management, workshops, sheltered domiciles, education, therapeutic services, assessments and evaluations, diagnostic care, medicinal support and rehabilitative services.

Sec. 17. K.S.A. 2016 Supp. 39-2003 is hereby amended to read as follows: 39-2003. (a) In addition to the authority, powers and duties otherwise provided by law, the secretary shall have the following authority, powers and duties to:

(1) Enforce the laws relating to the hospitalization of mentally ill individuals of this state in a psychiatric hospital and the diagnosis, care, training or treatment of individuals receiving services through community mental health centers, crisis intervention centers, psychiatric residential treatment facilities for individuals with mental illness, residential care facilities or other facilities and services for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities.

(2) Inspect, license, certify or accredit centers, facilities, hospitals and providers for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation, and to deny, suspend or revoke a license granted for causes shown.

(3) Set standards for centers, facilities, hospitals and providers for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation.

(4) Set standards for, inspect and license all providers and facilities for individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities receiving assistance through the Kansas department for aging and disability services which receive or have received after June 30, 1967, any state or federal funds, or facilities where individuals with mental illness, intellectual disabilities or developmental disabilities reside who require supervision or require limited assistance with the taking of medication. The secretary may adopt rules and regulations that allow the facility to assist an individual with the taking of medication when the medication is in a labeled container dispensed by a pharmacist.

(5) Enter into contracts necessary or incidental to the performance of the secretary's duties and the execution of the secretary's powers.

(6) Solicit and accept for use any gift of money or property, real or personal, made by will or otherwise, and any grant of money, services or property from the federal government, the state or any political subdivision thereof or any private source and do

all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant.

(7) Administer or supervise the administration of the provisions relating to individuals with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation and regulations.

(8) Coordinate activities and cooperate with treatment providers or other facilities for those with mental illness, intellectual disabilities, developmental disabilities or other disabilities pursuant to federal legislation and regulations in this and other states for the treatment of such individuals and for the common advancement of these programs and facilities.

(9) Keep records, gather relevant statistics, and make and disseminate analyses of the same.

(10) Do other acts and things necessary to execute the authority expressly granted to the secretary.

(b) Notwithstanding the existence or pursuit of any other remedy, the secretary for aging and disability services, as the licensing agency, in the manner provided by the Kansas judicial review act, may maintain an action in the name of the state of Kansas for an injunction against any person or facility to restrain or prevent the operation of a residential care facility, crisis residential care facility, private or public psychiatric hospital, psychiatric residential treatment facility, provider of services, community mental health center, crisis intervention center or any other facility providing services to individuals without a license.

(c) Reports and information shall be furnished to the secretary by the superintendents, executive or other administrative officers of all psychiatric hospitals, community mental health centers, crisis intervention centers or facilities serving individuals with intellectual disabilities or developmental disabilities and facilities serving other disabilities receiving assistance through the Kansas department for aging and disability services.

Sec. 18. K.S.A. 59-2953 is hereby amended to read as follows: 59-2953. (a) Any law enforcement officer who has a reasonable belief formed upon investigation that a person is a mentally ill person and because of such person's mental illness is likely to cause harm to self or others if allowed to remain at liberty may take the person into custody without a warrant. If the officer is in a crisis intervention center service area, as defined in section 2, and amendments thereto, the officer may transport the person to such crisis intervention center. If the officer is not in a crisis intervention service area, as defined in section 2, and amendments thereto, or does not choose to transport the person to such crisis intervention center, then the officer shall transport the person to a treatment facility where the person shall be examined by a physician or psychologist on duty at the treatment facility, except that no person shall be transported to a state psychiatric hospital for examination, unless a written statement from a qualified mental health professional authorizing such an evaluation at a state psychiatric hospital has been obtained. If no physician or psychologist is on duty at the time the person is transported to the treatment facility, the person shall be examined within a reasonable time not to exceed 17 hours. If a written statement is made by the physician or psychologist at the treatment facility that after preliminary examination the physician or psychologist believes the person likely to be a mentally ill person subject to involuntary commitment for care and treatment and because of the person's mental illness is likely

to cause harm to self or others if allowed to remain at liberty, and if the treatment facility is willing to admit the person, the law enforcement officer shall present to the treatment facility the application provided for in ~~subsection (b) of K.S.A. 59-2954(b)~~, and amendments thereto. If the physician or psychologist on duty at the treatment facility does not believe the person likely to be a mentally ill person subject to involuntary commitment for care and treatment the law enforcement officer shall return the person to the place where the person was taken into custody and release the person at that place or at another place in the same community as requested by the person or if the law enforcement officer believes that it is not in the best interests of the person or the person's family or the general public for the person to be returned to the place the person was taken into custody, then the person shall be released at another place the law enforcement officer believes to be appropriate under the circumstances. The person may request to be released immediately after the examination, in which case the law enforcement officer shall immediately release the person, unless the law enforcement officer believes it is in the best interests of the person or the person's family or the general public that the person be taken elsewhere for release.

(b) If the physician or psychologist on duty at the treatment facility states that, in the physician's or psychologist's opinion, the person is likely to be a mentally ill person subject to involuntary commitment for care and treatment but the treatment facility is unwilling to admit the person, the treatment facility shall nevertheless provide a suitable place at which the person may be detained by the law enforcement officer. If a law enforcement officer detains a person pursuant to this subsection, the law enforcement officer shall file the petition provided for in ~~subsection (a) of K.S.A. 59-2957(a)~~, and amendments thereto, by the close of business of the first day that the district court is open for the transaction of business or shall release the person. No person shall be detained by a law enforcement officer pursuant to this subsection in a nonmedical facility used for the detention of persons charged with or convicted of a crime.

Sec. 19. K.S.A. 2016 Supp. 59-2978 is hereby amended to read as follows: 59-2978. (a) Every patient being treated in any treatment facility, in addition to all other rights preserved by the provisions of this act, shall have the following rights:

(1) To wear the patient's own clothes, keep and use the patient's own personal possessions including toilet articles and keep and be allowed to spend the patient's own money;

(2) to communicate by all reasonable means with a reasonable number of persons at reasonable hours of the day and night, including both to make and receive confidential telephone calls, and by letter, both to mail and receive unopened correspondence, except that if the head of the treatment facility should deny a patient's right to mail or to receive unopened correspondence under the provisions of subsection (b), such correspondence shall be opened and examined in the presence of the patient;

(3) to conjugal visits if facilities are available for such visits;

(4) to receive visitors in reasonable numbers and at reasonable times each day;

(5) to refuse involuntary labor other than the housekeeping of the patient's own bedroom and bathroom, provided that nothing herein shall be construed so as to prohibit a patient from performing labor as a part of a therapeutic program to which the patient has given their written consent and for which the patient receives reasonable compensation;

(6) not to be subject to such procedures as psychosurgery, electroshock therapy,

experimental medication, aversion therapy or hazardous treatment procedures without the written consent of the patient or the written consent of a parent or legal guardian, if such patient is a minor or has a legal guardian provided that the guardian has obtained authority to consent to such from the court which has venue over the guardianship following a hearing held for that purpose;

(7) to have explained, the nature of all medications prescribed, the reason for the prescription and the most common side effects and, if requested, the nature of any other treatments ordered;

(8) to communicate by letter with the secretary for aging and disability services, the head of the treatment facility and any court, attorney, physician, psychologist, qualified mental health professional or minister of religion, including a Christian Science practitioner. All such communications shall be forwarded at once to the addressee without examination and communications from such persons shall be delivered to the patient without examination;

(9) to contact or consult privately with the patient's physician or psychologist, qualified mental health professional minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time and if the patient is a minor, their parent;

(10) to be visited by the patient's physician, psychologist, qualified mental health professional, minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time and if the patient is a minor, their parent;

(11) to be informed orally and in writing of their rights under this section upon admission to a treatment facility; and

(12) to be treated humanely consistent with generally accepted ethics and practices.

(b) The head of the treatment facility may, for good cause only, restrict a patient's rights under this section, except that the rights enumerated in subsections (a)(5) through (a)(12), and the right to mail any correspondence which does not violate postal regulations, shall not be restricted by the head of the treatment facility under any circumstances. Each treatment facility shall adopt regulations governing the conduct of all patients being treated in such treatment facility, which regulations shall be consistent with the provisions of this section. A statement explaining the reasons for any restriction of a patient's rights shall be immediately entered on such patient's medical record and copies of such statement shall be made available to the patient or to the parent, or legal guardian if such patient is a minor or has a legal guardian, and to the patient's attorney. In addition, notice of any restriction of a patient's rights shall be communicated to the patient in a timely fashion.

(c) Any person willfully depriving any patient of the rights protected by this section, except for the restriction of such rights in accordance with the provisions of subsection (b) or in accordance with a properly obtained court order, shall be guilty of a class C misdemeanor.

(d) The provisions of this section do not apply to persons civilly committed to a treatment facility as a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

Sec. 20. K.S.A. 59-2980 is hereby amended to read as follows: 59-2980. Any person or law enforcement agency, governing body, community mental health center or personnel acting in good faith and without negligence shall be free from all liability, civil or criminal, ~~which that~~ might arise out of acting or declining to act pursuant to this

act. Any person who for a corrupt consideration or advantage, or through malice, shall make or join in making or advise the making of any false petition, report or order provided for in this act shall be guilty of a class A misdemeanor.

Sec. 21. K.S.A. 59-29b53 is hereby amended to read as follows: 59-29b53. (a) Any law enforcement officer who has a reasonable belief formed upon investigation that a person may be a person with an alcohol or substance abuse problem subject to involuntary commitment and is likely to cause harm to self or others if allowed to remain at liberty may take the person into custody without a warrant. If the officer is in a crisis intervention center service area, as defined in section 2, and amendments thereto, the officer may transport the person to such crisis intervention center. If the officer is not in a crisis intervention center service area, as defined in section 2, and amendments thereto, or does not choose to transport the person to such crisis intervention center, then the officer shall transport the person to a treatment facility or other facility for care or treatment where the person shall be examined by a physician or psychologist on duty at the facility. If no physician or psychologist is on duty at the time the person is transported to the facility, the person shall be examined within a reasonable time not to exceed 17 hours. If a written statement is made by the physician or psychologist at the facility that after preliminary examination the physician or psychologist believes the person likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment and is likely to cause harm to self or others if allowed to remain at liberty, and if the facility is a treatment facility and is willing to admit the person, the law enforcement officer shall present to that treatment facility the application provided for in ~~subsection (b) of K.S.A. 59-29b54(b)~~, and amendments thereto. If the physician or psychologist on duty at the facility does not believe the person likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment, the law enforcement officer shall return the person to the place where the person was taken into custody and release the person at that place or at another place in the same community as requested by the person or if the law enforcement officer believes that it is not in the best interests of the person or the person's family or the general public for the person to be returned to the place the person was taken into custody, then the person shall be released at another place the law enforcement officer believes to be appropriate under the circumstances. The person may request to be released immediately after the examination, in which case the law enforcement officer shall immediately release the person, unless the law enforcement officer believes it is in the best interests of the person or the person's family or the general public that the person be taken elsewhere for release.

(b) If the physician or psychologist on duty at the facility states that, in the physician's or psychologist's opinion, the person is likely to be a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment but the facility is unwilling or is an inappropriate place to which to admit the person, the facility shall nevertheless provide a suitable place at which the person may be detained by the law enforcement officer. If a law enforcement officer detains a person pursuant to this subsection, the law enforcement officer shall file the petition provided for in ~~subsection (a) of K.S.A. 59-29b57(a)~~, and amendments thereto, by the close of business of the first day that the district court is open for the transaction of business or shall release the person. No person shall be detained by a law enforcement officer pursuant to

this subsection in a nonmedical facility used for the detention of persons charged with or convicted of a crime unless no other suitable facility at which such person may be detained is willing to accept the person.

Sec. 22. K.S.A. 2016 Supp. 59-29b78 is hereby amended to read as follows: 59-29b78. (a) Every patient being treated in any treatment facility, in addition to all other rights preserved by the provisions of this act, shall have the following rights:

(1) To wear the patient's own clothes, keep and use the patient's own personal possessions including toilet articles and keep and be allowed to spend the patient's own money;

(2) to communicate by all reasonable means with a reasonable number of persons at reasonable hours of the day and night, including both to make and receive confidential telephone calls, and by letter, both to mail and receive unopened correspondence, except that if the head of the treatment facility should deny a patient's right to mail or to receive unopened correspondence under the provisions of subsection (b), such correspondence shall be opened and examined in the presence of the patient;

(3) to conjugal visits if facilities are available for such visits;

(4) to receive visitors in reasonable numbers and at reasonable times each day;

(5) to refuse involuntary labor other than the housekeeping of the patient's own bedroom and bathroom, provided that nothing herein shall be construed so as to prohibit a patient from performing labor as a part of a therapeutic program to which the patient has given their written consent and for which the patient receives reasonable compensation;

(6) not to be subject to such procedures as psychosurgery, electroshock therapy, experimental medication, aversion therapy or hazardous treatment procedures without the written consent of the patient or the written consent of a parent or legal guardian, if such patient is a minor or has a legal guardian provided that the guardian has obtained authority to consent to such from the court which has venue over the guardianship following a hearing held for that purpose;

(7) to have explained, the nature of all medications prescribed, the reason for the prescription and the most common side effects and, if requested, the nature of any other treatments ordered;

(8) to communicate by letter with the secretary for aging and disability services, the head of the treatment facility and any court, attorney, physician, psychologist, licensed addiction counselor or minister of religion, including a Christian Science practitioner. All such communications shall be forwarded at once to the addressee without examination and communications from such persons shall be delivered to the patient without examination;

(9) to contact or consult privately with the patient's physician or psychologist, licensed addiction counselor, minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time and if the patient is a minor, their parent;

(10) to be visited by the patient's physician, psychologist, licensed addiction counselor, minister of religion, including a Christian Science practitioner, legal guardian or attorney at any time and if the patient is a minor, their parent;

(11) to be informed orally and in writing of their rights under this section upon admission to a treatment facility; and

(12) to be treated humanely consistent with generally accepted ethics and practices.

(b) The head of the treatment facility may, for good cause only, restrict a patient's rights under this section, except that the rights enumerated in subsections (a)(5) through (a)(12), and the right to mail any correspondence which does not violate postal regulations, shall not be restricted by the head of the treatment facility under any circumstances. Each treatment facility shall adopt regulations governing the conduct of all patients being treated in such treatment facility, which regulations shall be consistent with the provisions of this section. A statement explaining the reasons for any restriction of a patient's rights shall be immediately entered on such patient's medical record and copies of such statement shall be made available to the patient or to the parent, or legal guardian if such patient is a minor or has a legal guardian, and to the patient's attorney. In addition, notice of any restriction of a patient's rights shall be communicated to the patient in a timely fashion.

(c) Any person willfully depriving any patient of the rights protected by this section, except for the restriction of such rights in accordance with the provisions of subsection (b) or in accordance with a properly obtained court order, shall be guilty of a class C misdemeanor.

Sec. 23. K.S.A. 59-29b80 is hereby amended to read as follows: 59-29b80. Any person or law enforcement agency, governing body, community mental health center or personnel acting in good faith and without negligence shall be free from all liability, civil or criminal, ~~which that~~ might arise out of acting or declining to act pursuant to this act. Any person who for a corrupt consideration or advantage, or through malice, shall make or join in making or advise the making of any false petition, report or order provided for in this act shall be guilty of a class A misdemeanor.

Sec. 24. K.S.A. 59-2953, 59-2980, 59-29b53, and 59-29b80 and K.S.A. 2016 Supp. 39-2001, 39-2002, 39-2003, 59-2978 and 59-29b78 are hereby repealed. ";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking line 2; in line 3, by striking all before the period and inserting "concerning the care and treatment of certain persons; enacting the crisis intervention act; amending K.S.A. 59-2953, 59-2980, 59-29b53 and 59-29b80 and K.S.A. 2016 Supp. 39-2001, 39-2002, 39-2003, 59-2978 and 59-29b78 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Finch, the conference committee report on **S Sub for HB 2053** was adopted.

On roll call, the vote was: Yeas 120; Nays 0; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker,

Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, Curtis, Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, A. Smith, E. Smith, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Wheeler, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Concannon, DeGraaf, Hawkins, Mason, Stogsdill.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

COMMITTEE ASSIGNMENT CHANGES

Speaker pro tem Schwab announced the appointment of Rep. Lusker to replace Rep. Wilson and Rep. Wolfe Moore to replace Rep. Sawyer on Committee on Federal and State Affairs, on May 16, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, May 16, 2017.

Journal of the House

SIXTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 16, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Stogsdill was excused on verified illness.

Reps. Becker and Hawkins were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving Almighty God,
thank You, Lord, for continuing to watch over us,
provide for us, and care for us.
As this body of leaders continue to work together
to come to agreement,
help them to remember that You have a plan.
Give them direction to follow it;
patience to wait for it;
and knowledge to know when it comes.
Show them how You work;
school them in Your ways;
lead them down the path of truth;
and teach them to hope and trust in You.
You already know the outcome of the decisions to be made.
Help them to trust and call upon You for direction.
I also pray for continued healing
for Representative Stogsdill.
Boldly and with confidence I ask for a complete recovery.
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Awerkamp.

MESSAGES FROM THE GOVERNOR

HB 2085, HB 2153, HB 2301 approved on May 15, 2017.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **H Sub for SB 126**, requests a conference and has appointed Senators V. Schmidt, Bollier and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 126**.

Speaker Ryckman thereupon appointed Reps. Alford, Gallagher and Ousley as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Patton, **HR 6033**, by Reps. Patton, Aurand, Ballard, Deere, Dietrich, Elliott, Eplee, Gartner, Hodge, Karleskint, Kelly, Lewis, Lusker, Murnan, Neighbor, Rahjes, Schroeder, Seiwert, Ward and Winn, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6033**—

HR 6033—A RESOLUTION congratulating and commending the Kansas Association of School Boards on its 100th year.

A RESOLUTION congratulating and commending the Kansas Association of School Boards on its 100th year of serving education leaders and inspiring student success.

WHEREAS, The Kansas Association of School Boards is a non-profit organization that is dedicated to serving members of governing boards for school districts, community colleges, vocational-technical schools and cooperatives, and interlocal and regional service centers; and

WHEREAS, The Kansas Association of School Boards is governed by a board of directors comprised of school board members from across Kansas; and

WHEREAS, The Kansas Association of School Boards believes all students are able to learn, an educated citizenry is essential to having a free society, education is often the most important factor in economic and social well-being, public education is a fundamental right that prepares students for the future, and that local control of public schools is necessary to provide the best education to young people in Kansas; and

WHEREAS, The Kansas Association of School Boards strives to provide a culture of collaboration and service, is a voice for public education and seeks to improve education outcomes in Kansas; and

WHEREAS, The Kansas Association of School Boards assists local school boards, the cornerstone of our democracy, to accomplish their mission in a number of ways, including the formation of legislative policies and by providing legal assistance, leadership development and service, risk management programs, research and advocacy: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate and commend the Kansas Association of School Boards on its 100th year of service and its ongoing support of public education in Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Patton.

There being no objection, the following remarks of Rep. Patton are spread upon the Journal:

On behalf of our many colleagues, like myself, who have served on school boards or as district administrators, it is my pleasure to congratulate the Kansas Association of School Boards on its 100th year of serving education leaders across our state.

For many of you, your interaction with KASB has been from its advocacy efforts. That being said, KASB's advocacy efforts is just a small portion of what KASB does for our school leaders. KASB assists districts with cooperative purchasing, research, utility management, legal services, negotiation assistance, property and casualty insurance, superintendent searches, workers' compensation, and, the one I personally benefit the most from, board member training.

Individuals run for their school board to make a difference for the students in their schools, yet in many of our communities, our school district is the largest employer and a significant player in our community's economy. While student achievement is the top priority for board members, there is a lot that goes into serving on a board of education. The training opportunities and other services provided by KASB enable these volunteer board members to successfully oversee and govern their school districts.

Joining us on the floor today are ten members of the KASB Board of Directors: Amy Martin, President; Don Shimkus, Past-President; Dayna Miller, President-Elect; Patrick Woods, President-Elect Designee; Shannon Kimball, Region 1 Vice-President; Curt Herrman, Region 4 Vice-President; Susan Walston, Region 6 Vice-President; Lori Blake, Region 5 Vice-President; Gina McGowan, Region 7 Vice-President; and Frank Henderson, a Past-President and current member of the National School Boards Association Board of Directors. In addition to these individuals, there are other board members and staff in the gallery.

Please join me in thanking these board members for their service to our students and in recognizing the Kansas Association of School Boards on its 100th year of service!

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2054**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2054** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 8, following line 32, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 48-3602 is hereby amended to read as follows: 48-3602. (a) The chief law enforcement executive for any law enforcement agency, ~~or~~ such executive's designee, the secretary of corrections or the secretary's designee may request assistance from a law enforcement agency or a department of corrections of another jurisdiction, including a jurisdiction located outside the state of Kansas, but within the United States.

(b) If a law enforcement officer makes an arrest or apprehension outside such officer's jurisdiction, the offender shall be delivered to the first available law enforcement officer who is commissioned in the jurisdiction in which the arrest was made. The officer making the initial arrest or apprehension shall assist in the preparation of any affidavits filed with the complaint or based on other evidence that there is probable cause to believe that both a crime has been committed and the defendant has committed such crime.

(c) For the purposes of liability, all members of any political subdivision or public safety agency responding under operational control of the requesting political subdivision or public safety agency are deemed employees of such responding political subdivision or public safety agency and are subject to the liability and workers' compensation provisions provided to them as employees of their respective political subdivision or public safety agency. Qualified immunity, sovereign immunity, official immunity and the public duty rule shall apply to the provisions of this section as interpreted by the federal and state courts of the responding agency. The Kansas tort claims act, K.S.A. 75-6101 et seq., and amendments thereto, and the Kansas workers compensation act, K.S.A. 44-501 et seq., and amendments thereto, shall be interpreted consistent with the provisions of this section.

(d) Nothing in this section shall be construed to limit the actions of law enforcement officers or agencies conducted pursuant to K.S.A. 19-828, and amendments thereto.

(e) The provisions of article 24 of chapter 22 of the Kansas Statutes Annotated, and amendments thereto, and K.S.A. 21-5220 et seq., and amendments thereto, are applicable to any law enforcement officers from jurisdictions located outside the state of Kansas, but within the United States who are acting pursuant to a request made under this section.

(f) For purposes of this section, the term "law enforcement officer" shall have the same meaning as that term is defined by K.S.A. 74-5602, and amendments thereto, or a law enforcement officer who has obtained a similar designation to one described in K.S.A. 74-5602, and amendments thereto, in a jurisdiction outside the state of Kansas, but within the United States.

Sec. 3. K.S.A. 2016 Supp. 74-5605 is hereby amended to read as follows: 74-5605. (a) Every applicant for certification shall be an employee of a state, county or city law enforcement agency, a municipal university police officer, a railroad policeman appointed pursuant to K.S.A. 66-524, and amendments thereto; an employee of the tribal law enforcement agency of an Indian nation that has entered into a tribal-state gaming compact with this state; a manager or employee of the horsethief reservoir benefit district pursuant to K.S.A. 2016 Supp. 82a-2212, and amendments thereto; or a school security officer designated as a school law enforcement officer pursuant to K.S.A. 72-8222, and amendments thereto.

(b) Prior to admission to a course conducted at the training center or at a certified state or local law enforcement agency, the applicant's appointing authority or agency head shall furnish to the director of police training and to the commission a statement certifying that the applicant has been found to meet the minimum requirements of certification established by this subsection. The commission may rely upon the statement of the appointing authority or agency head as evidence that the applicant meets the minimum requirements for certification to issue a provisional certification.

Each applicant for certification shall meet the following minimum requirements:

- (1) Be a United States citizen;
- (2) have been fingerprinted and a search of local, state and national fingerprint files made to determine whether the applicant has a criminal record;
- (3) not have been convicted of a crime that would constitute a felony under the laws of this state, a misdemeanor crime of domestic violence or a misdemeanor offense that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations of the commission;
- (4) have graduated from a high school accredited by the Kansas state board of education or the appropriate accrediting agency of another state jurisdiction or have obtained the equivalent of a high school education as defined by rules and regulations of the commission;
- (5) be of good moral character sufficient to warrant the public trust in the applicant as a police officer or law enforcement officer;
- (6) have completed an assessment, including psychological testing approved by the commission, to determine that the applicant does not have a mental or personality disorder that would adversely affect the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment;
- (7) be free of any physical or mental condition which adversely affects the ability to perform the essential functions of a police officer or law enforcement officer with reasonable skill, safety and judgment; and
- (8) be at least 21 years of age.

(c) The commission may deny a provisional or other certification upon a finding that the applicant has engaged in conduct for which a certificate may be revoked, suspended or otherwise disciplined as provided in K.S.A. 74-5616, and amendments thereto. When it appears that grounds for denial of a certification exist under this subsection, after a conditional offer of employment has been made to an applicant seeking appointment as a police officer or law enforcement officer, the applicant's appointing authority or agency head may request an order from the commission to determine whether a provisional certification will be issued to that applicant.

(d) As used in this section, "conviction" includes rendering of judgment by a military court martial pursuant to the uniform code of military justice, by a court of the United States or by a court of competent jurisdiction in any state, whether or not expunged; and any diversion or deferred judgment agreement entered into for a misdemeanor crime of domestic violence or a misdemeanor offense that the commission determines reflects on the honesty, trustworthiness, integrity or competence of the applicant as defined by rules and regulations by the commission and any diversion agreement or deferred judgment entered into on or after July 1, 1995, for a felony.";

On page 11, following line 40, by inserting:

"Sec. 5. K.S.A. 75-3036 is hereby amended to read as follows: 75-3036. (a) The state general fund is exclusively defined as the fund into which shall be placed all public moneys and revenue coming into the state treasury not specifically authorized by the constitution or by statute to be placed in a separate fund, and not given or paid over to the state treasurer in trust for a particular purpose, which unallocated public moneys and revenue shall constitute the general fund of the state; ~~but~~ Moneys received or to be used under constitutional or statutory provisions or under the terms of a gift or payment

for a particular and specific purpose are to be kept as separate funds and shall not be placed in the general fund or ever become a part of it, ~~except by proper statutory enactment, and.~~

(b) The following funds shall be used for the purposes set forth in the statutes concerning such funds and for no other governmental purposes. It is the intent of the legislature that the following funds and the moneys deposited in such funds shall remain intact and inviolate for the purposes set forth in the statutes concerning such funds: Board of accountancy fee fund, K.S.A. 1-204 and 75-1119b, and amendments thereto, and special litigation reserve fund of the board of accountancy; bank commissioner fee fund, K.S.A. 9-1703, 16a-2-302, 17-5610, 17-5701 and 75-1308, and amendments thereto, bank investigation fund, K.S.A. 9-1111b, and amendments thereto, consumer education settlement fund and litigation expense fund of the state bank commissioner; securities act fee fund and investor education and protection fund, K.S.A. 17-12a601, and amendments thereto, of the office of the securities commissioner of Kansas; credit union fee fund, K.S.A. 17-2236, and amendments thereto, of the state department of credit unions; court reporters fee fund, K.S.A. 20-1a02, and amendments thereto, and bar admission fee fund, K.S.A. 20-1a03, and amendments thereto, of the judicial branch; fire marshal fee fund, K.S.A. 31-133a and 31-134, and amendments thereto, and boiler inspection fee fund, K.S.A. 44-926, and amendments thereto, of the state fire marshal; food service inspection reimbursement fund, K.S.A. 36-512, and amendments thereto, of the Kansas department of agriculture; wage claims assignment fee fund, K.S.A. 44-324, and amendments thereto, and workmen's compensation fee fund, K.S.A. 74-715, and amendments thereto, of the department of labor; veterinary examiners fee fund, K.S.A. 47-820, and amendments thereto, of the state board of veterinary examiners; mined-land reclamation fund, K.S.A. 49-420, and amendments thereto, of the department of health and environment; conservation fee fund and well plugging assurance fund, K.S.A. 55-155, 55-176, 55-609, 55-711 and 55-901, and amendments thereto, gas pipeline inspection fee fund, K.S.A. 66-1,155, and amendments thereto, and public service regulation fund, K.S.A. 66-1503, and amendments thereto, of the state corporation commission; land survey fee fund, K.S.A. 58-2011, and amendments thereto, of the state historical society; real estate recovery revolving fund, K.S.A. 58-3074, and amendments thereto, of the Kansas real estate commission; appraiser fee fund, K.S.A. 58-4107, and amendments thereto, and appraisal management companies fee fund of the real estate appraisal board; amygdalin (laetrile) enforcement fee fund, K.S.A. 65-6b10, and amendments thereto; mortuary arts fee fund, K.S.A. 65-1718, and amendments thereto, of the state board of mortuary arts; board of barbering fee fund, K.S.A. 65-1817a, and amendments thereto, of the Kansas board of barbering; cosmetology fee fund, K.S.A. 65-1951 and 74-2704, and amendments thereto, of the Kansas state board of cosmetology; healing arts fee fund, K.S.A. 65-2011, 65-2855, 65-2911, 65-5413, 65-5513, 65-6910, 65-7210 and 65-7309, and amendments thereto, and medical records maintenance trust fund, of the state board of healing arts; other state fees fund, K.S.A. 2016 Supp. 65-4024b, and amendments thereto, of the Kansas department for aging and disability services; board of nursing fee fund, K.S.A. 74-1108, and amendments thereto, of the board of nursing; dental board fee fund, K.S.A. 74-1405, and amendments thereto, and special litigation reserve fund, of the Kansas dental board; optometry fee fund, K.S.A. 74-1503, and amendments thereto, and optometry litigation fund, of the board of examiners in optometry; state board of pharmacy fee

fund, K.S.A. 74-1609, and amendments thereto, and state board of pharmacy litigation fund, of the state board of pharmacy; abstracters' fee fund, K.S.A. 74-3903, and amendments thereto, of the abstracters' board of examiners; athletic fee fund, K.S.A. 2016 Supp. 74-50,188, and amendments thereto, of the department of commerce; hearing instrument board fee fund, K.S.A. 74-5805, and amendments thereto, and hearing instrument litigation fund of the Kansas board of examiners in fitting and dispensing of hearing instruments; commission on disability concerns fee fund, K.S.A. 74-6708, and amendments thereto, of the governor's department; technical professions fee fund, K.S.A. 74-7009, and amendments thereto, and special litigation reserve fund of the state board of technical professions; behavioral sciences regulatory board fee fund, K.S.A. 74-7506, and amendments thereto, of the behavioral sciences regulatory board; governmental ethics commission fee fund, K.S.A. 25-4119e, and amendments thereto, of the governmental ethics commission; emergency medical services board operating fund, K.S.A. 75-1514, and amendments thereto, of the emergency medical services board; fire service training program fund, K.S.A. 75-1514, and amendments thereto, of the university of Kansas; uniform commercial code fee fund, K.S.A. 2016 Supp. 75-448, and amendments thereto, of the secretary of state; prairie spirit rails-to-trails fee fund of the Kansas department of wildlife, parks and tourism; water marketing fund, K.S.A. 82a-1315c, and amendments thereto, of the Kansas water office; insurance department service regulation fund, K.S.A. 40-112, and amendments thereto, of the insurance department; state fair special cash fund, K.S.A. 2-220, and amendments thereto, of the state fair board; scrap metal theft reduction fee fund, K.S.A. 2016 Supp. 50-6,109a, and amendments thereto; and any other fund in which fees are deposited for licensing, regulating or certifying a person, profession, commodity or product.

(c) If moneys received pursuant to statutory provisions for a specific purpose by a fee agency are proposed to be transferred to the state general fund or a special revenue fund to be expended for general government services and purposes in the governor's budget report submitted pursuant to K.S.A. 75-3721, and amendments thereto, or any introduced house or senate bill, the person or business entity who paid such moneys within the preceding 24-month period shall be notified by the fee agency within 30 days of such submission or introduction:

(1) By electronic means, if the fee agency has an electronic address on record for such person or business entity. If no such electronic address is available, the fee agency shall send written notice by first class mail; or

(2) any agency that receives fees from a tax, fee, charge or levy paid to the commissioner of insurance shall post the notification required by this subsection on such agency's website.

(d) Any such moneys which are wrongfully or by mistake placed in the general fund shall constitute a proper charge against such general fund: ~~Provided, That,~~ All legislative appropriations which do not designate a specific fund from which they are to be paid shall be considered to be proper charges against the general fund of the state: ~~Provided further, That,~~ All revenues received by the state of Kansas or any department, board, commission, or institution of the state of Kansas, and required to be paid into the state treasury shall be placed in and become a part of the state general fund, except as otherwise provided in this act by law.

(e) The provisions of this section shall not apply to the 10% credited to the state general fund to reimburse the state general fund for accounting, auditing, budgeting,

legal, payroll, personnel and purchasing services, and any and all other state governmental services, as provided in K.S.A. 75-3170a, and amendments thereto.

(f) Beginning on January 8, 2018, the director of the budget shall prepare a report listing the unencumbered balance of each fund in subsection (b) on June 30 of the previous fiscal year and January 1 of the current fiscal year. Such report shall be delivered to the secretary of the senate and the chief clerk of the house of representatives on or before the first day of the regular legislative session each year.

(g) As used in this section, "fee agency" shall include the state agencies specified in K.S.A. 75-3717(f), and amendments thereto, and any other state agency that collects fees for licensing, regulating or certifying a person, profession, commodity or product.";

Also on page 11, in line 41, before "K.S.A." by inserting "K.S.A. 75-3036 and"; also in line 41, before "and" by inserting ", 48-3602 , 74-5605";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requests for law enforcement assistance from jurisdictions located outside the state of Kansas; the Kansas law enforcement training act; qualifications of applicants for certification,"; in line 4, after the semicolon by inserting "transfer of fees; notification of such transfer,"; also in line 4, after "amending" by inserting "K.S.A. 75-3036 and"; in line 5, after "44-714" by inserting ", 48-3602, 74-5605";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

BLAINE FINCH

FRED PATTON

JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Finch, the conference committee report on **HB 2054** was adopted.

On roll call, the vote was: Yeas 98; Nays 23; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Gartner, Good, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson.

Nays: Burroughs, Carlin, Carmichael, Curtis, DeGraaf, Finney, Frownfelter, Helgerson, Henderson, Houser, Huebert, Kuether, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Terrell, Victors, Ward, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Becker, Hawkins, Sloan, Stogsdill.

REPORTS OF STANDING COMMITTEES

The Committee on **K-12 Education Budget** recommends **HB 2410** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2410," as follows:

"Substitute for HOUSE BILL NO. 2410

By Committee on K-12 Education Budget

"AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act; amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by section 92 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482 and 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 46.";

and **Sub HB 2410** be reported without recommendation.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

Announcing passage of **HB 2132**, as amended by **Senate Substitute for HB 2132**.

Announcing passage of **HB 2280**, as amended.

Also, announcing passage of **Sub HB 2277**, as amended.

On motion of Rep. Phillips, the House adjourned until 10:00 a.m., Wednesday, May 17, 2017.

Journal of the House

SEVENTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 17, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 120 members present.

Rep. Stogsdill was excused on verified illness.

Reps. Hawkins, Schroeder, Tarwater and Whipple were excused on excused absence by the Speaker.

Present later: Reps. Schroeder, Tarwater and Whipple.

Prayer by Chaplain Brubaker:

Jehovah Jireh—God in Heaven,
We come to You today with hearts full of thanksgiving,
recognizing that every good gift and every perfect present comes from You.
Thank You for all You have done and what You will do
to help these leaders settle the financial matters of this great state.
Place Your hand on the finances and budgets.
Your Word says that You have given us the ability
to generate wealth.
Your Word also admonishes us to use it wisely.
Now, please render the wisdom and discernment needed
to allocate this wealth in the proper places that will
benefit the most, and bring honor to You.
I pray this in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Garber.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2132**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Osterman, the House nonconcurrent in Senate amendments to **S Sub for HB 2132** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senators McGinn, Billinger, and Kelly to replace Senators Kerschen, Estes, and Francisco as conferees on **HB 2079**.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2132** and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate concurs in House amendments to **H Sub for SB 120**, and requests return of the bill.

The Senate adopts the Conference Committee report on **HB 2128**.

REPORT ON ENGROSSED BILLS

HB 2054 reported correctly reengrossed May 16, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, May 18, 2017.

Journal of the House

SEVENTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 18, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 118 members present.

Reps. Becker and Stogsdill were excused on verified illness.

Reps. Lusker and Seiwert were excused on legislative business.

Reps. Arnberger, Claeys and Hawkins were excused on excused absence by the Speaker.

Present later: Reps. Claeys and Hawkins.

Prayer by guest chaplain, Rev. Doyle Pryor, pastor, First Southern Baptist Church, Topeka:

Heavenly Father,

You told us in Jeremiah 29:7 (HCSB) Seek the welfare of the city where I have placed you. Pray to the Lord on its behalf, for when it has prosperity, you will prosper. " The men and women in this chamber are here for such a task. May they seek the welfare and prosperity of our great state. May their agendas be Your agenda. May their choices lead us to life and peace instead of death and division. May those of us who are blessed to be citizens of our wonderful state experience and enjoy prosperity because of their legislation by Your divine guidance. May they most importantly know intimately the One who created it all and orders our steps, the Lord Jesus, who showed them the ultimate example of a servant leader by giving His life for His friends. I know that in this session there is a lot at stake, may they rule well. Protect their integrity, their families, and their fortunes while they are in our service. The stakes are too high, our children too precious, our future too bright, and the needs too many for them to listen to anyone but You during this time.

Thank you Father for granting us an audience through the great name of Jesus Christ we pray, Amen.

The Pledge of Allegiance was led by Rep. Eplee.

INTRODUCTION OF GUESTS

There being no objection. The following remarks of Rep. Trimmer are spread upon the Journal:

I am here to recognize a friend and former colleague who will be inducted into the Kansas Teachers' Hall of Fame in July, Peggy Craig. The Kansas Teachers' Hall of Fame was established in 1977 and serves to honor educators who have devoted their lives to their students. She has traveled to Mexico, Central and South America, Cuba and Spain to learn about the culture of Spanish speaking countries. She brought back all of those experiences to her students.

She has been described as “the ultimate teacher.” Throughout her career, she has been influential in the lives and education of her students, to bilingual education in Kansas, to her professional colleagues and to the profession of public education

Students have commented that, “She is the most caring human being I have ever met.” “In my class, she truly went above and beyond to make sure that each student’s individualized education was unique to them.” “Peggy Craig has continued to be a mentor for me even as I have gone away to college.”

Her colleagues describe her this way, “Peggy is an eager lifetime learner.” “She prepares lessons on world current events, art, music and sports events, always emphasizing language mastery.” “When I first came to WHS, I asked some of my highest achieving students, who I should observe to become a better teacher? Overwhelmingly, they recommended Ms. Craig.” There is no one better in the classroom. I know this to be true, not only from personal experience, but because both of my daughters have taken Spanish from her. They loved her. She was the main reason my oldest daughter went to Mexico to teach for 7 years, and now is completely fluent in Spanish.

Please join me in congratulating Peggy Craig on her induction into the 2017 Kansas Teachers Hall of Fame.

Rep. Trimmer presented Ms. Craig with a framed House certificate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Miller, **HR 6034**, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6034**--

By Representatives Miller, Alcalá, Corbet, Dietrich, Ellis, Gartner,
Highland, Kuether, Patton and Weigel

HR 6034—A RESOLUTION congratulating and commending the Washburn University Debate Team.

WHEREAS, The Washburn University debate team competed in the 24th Annual National Parliamentary Debate Association National Championship held in Colorado Springs, Colorado, and they returned with two teams named co-champions: Ryan Kelly and Kaitlyn Bull; and Will Starks and Quintin Brown; and

WHEREAS, For the fourth time in eight years, the debate team won the Squad Sweepstakes National Championship, which is awarded to teams based on their success

throughout the entire debate season; and

WHEREAS, The debate team scored victories over 63 other nationally ranked, parliamentary-style debate teams to bring home top honors from the invitation-only 17th Annual National Parliamentary Tournament of Excellence (NPTE), which is hosted by Colorado State University. This is the second time the debate team has won this national tournament; and

WHEREAS, At the NPTE, three Washburn students were ranked among the best 100 collegiate parliamentary debaters in the United States: Senior Kaitlyn Bull, second; senior Quintin Brown, third; and senior Ryan Kelly, fourth; and

WHEREAS, The debate team defeated 26 other teams from 13 universities to win first and second place at the inaugural National Round Robin of Parliamentary Debate Competition hosted by William Jewell College; and

WHEREAS, The debate team is sponsored and coached by Dr. Kevin O'Leary, Director of Forensics and lecturer of Communications Studies at Washburn University: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we congratulate the Washburn University debate team for their success during the 2016-2017 season, and we commend them for the outstanding way in which they represent Washburn University and the State of Kansas; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send 5 enrolled copies of this resolution to Representative Miller.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 60** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 60, as follows:

On page 2, by striking all in lines 9 through 17; in line 18, by striking all before "The"; in line 32, after the period by inserting "The secretary of agriculture shall reduce the inspection fee by adopting rules and regulations under this section whenever the secretary determines that the inspection fee is yielding more than is necessary for the purpose of administering the provisions of this act. The secretary may increase the inspection fee by adopting rules and regulations under this section when the secretary finds that such increase is necessary to produce sufficient revenues for the purpose of administering the provisions of this act, except that the inspection fee shall not be increased in excess of the maximum fee prescribed by this section.";

Also, on page 2, following line 32, by inserting:

"Sec. 2. K.S.A. 2016 Supp. 2-2204 is hereby amended to read as follows: 2-2204. (a) Every agricultural chemical which is distributed, sold or offered for sale within this state or delivered for transportation or transported in intrastate commerce or between points within this state through any point outside this state shall be registered by the secretary. The secretary shall have the authority to classify or designate as restricted-use any pesticide registered for sale, use or distribution in the state of Kansas, according to rules and regulations promulgated by the secretary. The secretary may adopt rules and regulations to allow products to be registered for a period not to exceed three years. All registration of products shall expire on December 31 of the year the registration is set to

expire, unless such registration shall be renewed, in which event expiration date shall be extended for each year of renewal registration, or until otherwise terminated. Products which have the same formula, and are manufactured by the same person, the labeling of which contains the same claims, and the labels of which bear a designation identifying the product as the same agricultural chemical may be registered as a single product and additional names and labels shall be added by supplement statements during the current period of registration. Within the discretion of the secretary, or an authorized representative of the secretary, a change in the labeling or formulas of an agricultural chemical may be made within the current period of registration without requiring a reregistration of the product. Any agricultural chemical imported into this state which is subject to the provisions of any federal act providing for the registration and which has been duly registered under the provisions of such federal act, in the discretion of the secretary, may be exempted from registration under this act when such agricultural chemical is sold or distributed in the unbroken immediate container in which such agricultural chemical was originally shipped.

(b) The registrant shall file with the secretary, a statement including: (1) The name and address of the registrant and the name and address of the person whose name will appear on the label if other than the registrant; (2) the name of the agricultural chemical; (3) a complete copy of the labeling accompanying the agricultural chemical and a statement of all claims made and to be made for it and a statement of directions for use; and (4) if requested by the secretary, or an authorized representative of the secretary, a full description of the tests made and the results thereof upon which the claims are based.

(c) The secretary may require the registrant to submit a copy of the product label registered by the EPA under the provisions of FIFRA.

(d) Any time the registrant modifies the label, the modified label shall be submitted to the secretary for review and approval prior to implementing the new label in Kansas.

(e) On the date of registration, the registrant shall pay a fee fixed by rules and regulations adopted by the secretary of agriculture. Such fee shall equal an amount per registered agricultural chemical, not to exceed \$150 per year. Such fee shall be deposited in the state treasury and credited as follows: (1) An amount equal to \$100 for each year of registration shall be credited to the state water plan fund created by K.S.A. 82a-951, and amendments thereto; and (2) the remainder shall be credited to the agricultural chemical fee fund to be used for carrying out the provisions of this act. The annual fee for each agricultural chemical registered which is in effect on the day preceding the effective date of this act shall continue in effect until the secretary of agriculture adopts rules and regulations fixing a different fee therefor under this subsection. ~~The secretary of agriculture is hereby authorized and empowered, shall reduce the fee imposed by this subsection by adopting rules and regulations whenever if the secretary determines that the fee imposed by this subsection and paid into the state treasury as provided by law is yielding more revenue than is required for the purposes to which such fee is devoted by law, to reduce the fee imposed by this subsection for such period as the secretary shall deem justified by adopting rules and regulations under this subsection but not for less than one year. In the event that the secretary, after reducing such fee, finds that sufficient revenues are not being produced by such reduced fee, the secretary is authorized and empowered may increase the fee by adopting rules and regulations under this subsection, to restore in full or in part such fee to an amount~~

which, in the judgment of the secretary, will produce sufficient revenues for the purposes as provided in this section, but not exceeding the maximum amount of the fee imposed by this subsection.

(f) The secretary, or an authorized representative of the secretary, whenever it is deemed essential in the administration of this act, may require the submission of the complete formula or any other data in support of the registration for any pesticide. The complete formula and any other trade secrets submitted to support the registration application shall be considered as confidential. If it appears to the secretary, or an authorized representative of the secretary, that the composition of the product is such as to warrant the proposed claims for the product and if the product and its labeling and other material required to be submitted comply with the requirements of this act, the secretary shall register the product.

(g) If it does not appear to the secretary, or an authorized representative of the secretary, that the product is such as to warrant the proposed claims for it or if the product and its labeling and other material required to be submitted do not comply with the provisions of this act, the secretary shall notify the registrant of the manner in which the product, labeling, or other material required to be submitted fail to comply with the act and rules and regulations adopted pursuant thereto so as to afford the registrant an opportunity to make the necessary corrections. If, upon receipt of such notice, the registrant does not make the required changes within 30 days, the secretary may deny registration of the product. In addition, the secretary may deny registration of a product if the application for registration fails to comply with this act or any rule or regulation adopted pursuant thereto. If the secretary denies a registration, the registrant may request a hearing in accordance with the provisions of the Kansas administrative procedure act.

(h) Any pesticide registration canceled or suspended under the provisions of FIFRA shall be considered to be canceled or suspended under provisions of the agricultural chemical act of 1947, unless such cancellation is due to the nonpayment of registration fees required under FIFRA.

(i) If the secretary determines that a registered product fails to meet the claims made on its label, the secretary may suspend or revoke the product registration after a hearing in accordance with the provisions of the Kansas administrative procedure act. In addition, if the secretary determines that a registered product or its labeling fails to comply with this act, or a rule or regulation adopted pursuant to this act, the secretary may suspend or revoke the product registration after a hearing in accordance with the provisions of the Kansas administrative procedure act.

(j) In order to protect the public, the secretary, or a duly authorized representative of the secretary, on the secretary's own motion, may at any time, after written notice to the registrant, suspend or revoke the registration of an agricultural chemical. Any person so notified shall be given an opportunity for a hearing in accordance with the provisions of the Kansas administrative procedure act with regard to the secretary's contemplated action, before any registration is suspended or revoked.

(k) Notwithstanding any other provisions of this act, registration is not required in the case of an agricultural chemical shipped from one plant within this state to another plant within this state operated by the same person.

(l) Any information required to be filed pursuant to this section, may be filed electronically pursuant to rules and regulations promulgated by the secretary.";

On page 13, in line 12, after "and" by inserting "may be up to 6% of such applicable fee amount, but";

On page 21, in line 7, after the first comma by inserting "2-2204,"; in line 8, by striking ", 65-781";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the first comma by inserting "2-2204,";

And your committee on conference recommends the adoption of this report.

KYLE D. HOFFMAN

KENT THOMPSON

SYDNEY CARLIN

Conferees on part of House

DAN KERSCHEN

BUD ESTES

MARCI FRANCISO

Conferees on part of Senate

On motion of Rep. Hoffman, the conference committee report on **H Sub for SB 60** was adopted.

On roll call, the vote was: Yeas 107; Nays 11; Present but not voting: 0; Absent or not voting: 7.

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Lewis, Lusk, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Smith, A., Smith, E., S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, B. Carpenter, Delperdang, Garber, Jacobs, Kuether, Landwehr, R. Powell, Sutton, Thimesch, Whitmer.

Present but not voting: None.

Absent or not voting: Arnberger, Becker, Claeys, Hawkins, Lusker, Seiwert, Stogsdill.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 23**.

The Senate adopts the Conference Committee report on **HB 2313**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2280**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2280** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

REPORT ON ENROLLED RESOLUTIONS

HR 6032, HR 6033 reported correctly enrolled and properly signed on May 18, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, May 19, 2017.

Journal of the House

SEVENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, May 19, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 116 members present.

Reps. Becker, DeGraaf and Stogsdill were excused on verified illness.

Rep. Tarwater was excused on legislative business.

Reps. Aurand, Burroughs, Dove, Jennings and Thompson were excused on excused absence by the Speaker.

Excused later: Rep. Davis.

Prayer by guest chaplain, the Rev. Michael De Haan, pastor, Wanamaker Woods Church of the Nazarene, Topeka:

Heavenly Father,

We come before You today to offer You our thanks and praise. We are grateful for Your blessings and know that without Your grace we would be lost and without hope. So today we offer a prayer of thanksgiving for all that You have done.

We pray for Your guidance today. May we be people who seek Your favor and who do Your will. We ask for Your wisdom in all we say and do, so that there may be peace and justice in our land.

Protect us from violence, pride, discord, and every evil way. Help us to be united in our passion and purpose. And may we always be thankful and trust in Your unfailing love.

In Christ's Name we pray,

Amen.

The Pledge of Allegiance was led by Rep. Swanson.

On motion of Rep. Hineman, the House recessed until 10:45 a.m.

LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2102, H Sub for SB 86**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House concurred in Senate amendments to **HB 2102**, AN ACT concerning counties; dealing with the board of county commissioners; concerning certain appointments by the board of county commissioners; amending K.S.A. 19-206 and K.S.A. 2016 Supp. 75-2550 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Arnberger, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Raffie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Terrell, Thimesch, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Becker, Burroughs, DeGraaf, Dove, Jennings, Stogs-dill, Tarwater, Thompson.

INTRODUCTION OF ORIGINAL MOTIONS

Roll call was demanded on motion of Rep. Ward, in accordance with subsection (a) of House Rule 1503, to move **HB 2410** to the first order of business on General Orders today; and to suspend Joint Rule 4 (k) of the Joint Rules of the Senate and House of Representatives for the purpose of considering **HB 2410**.

On roll call, the vote was: Yeas 39; Nays 77; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Ballard, Bishop, Carlin, Carmichael, Clayton, Crum, Curtis, Deere, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Sawyer, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Alford, Arnberger, Awerkamp, Baker, Barker, Blex, Brim, Campbell, Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Davis, Delperdang, Dierks, Dietrich,

Elliott, Ellis, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, Patton, Phillips, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, A. Smith, E. Smith, Sutton, Swanson, Thimesch, Vickrey, Waymaster, Weber, Wheeler, Whitmer, Williams.

Present but not voting: None.

Absent or not voting: Aurand, Becker, Burroughs, DeGraaf, Dove, Jennings, Stogsdill, Tarwater, Thompson.

The motions of Rep. Ward did not prevail.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Rahjes in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Rahjes, Committee of the Whole report, as follows, was adopted:

Recommended that:

Committee report to **SB 201** be adopted; on motion of Rep. Ward to amend **SB 201** Rep. Barker requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Ward challenged the ruling, the question being "Shall the Rules Chair be sustained?"

Roll call was demanded.

On roll call, the vote was: Yeas 72; Nays 42; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alford, Arnberger, Averkamp, Baker, Barker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, Delperdang, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Good, Hawkins, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, Thimesch, Trimmer, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Nays: Alcalá, Ballard, Bishop, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Finney, Frownfelter, Gallagher, Gartner, Helgerson, Henderson, Hibbard, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Phillips, Rooker, Ruiz, Sloan, S. Swanson, Terrell, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Aurand, Becker, Burroughs, E. Davis, DeGraaf, Dove, Jennings, Stogsdill, Tarwater, Thompson, Victors.

The Rules Chair was sustained and the amendment of Rep. Ward was ruled not germane.

Also, on motion of Rep. Schreiber, **SB 201** be amended as amended by House Com-

mittee, on page 2, in line 25, after "(1)" by inserting "(A)"; following line 32, by inserting:

"(B) The term "consumer telephone call" shall not include a call made solely for the purpose of communicating with a consumer about services already being received and maintenance of those services.";

Also on page 2, in line 39, before the semicolon by inserting ". For purposes of this subsection, an express request or express written agreement includes the implied consent or agreement resulting from a consumer providing a telephone number to a utility company, local exchange carrier, telecommunications carrier or video services provider as contact information"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

HB 2041, S Sub for HB 2053, HB 2054 reported correctly enrolled, properly signed and presented to the Governor on May 19, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Monday, May 22, 2017.

Journal of the House

SEVENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, May 22, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 116 members present.

Reps. Huebert, Sawyer and Stogsdill were excused on verified illness.

Reps. Ellis, Frownfelter, Good, Helgerson, Landwehr and Schwab were excused on excused absence by the Speaker.

Present later: Reps. Ellis, Frownfelter, Helgerson, Landwehr, Sawyer and Schwab.

Prayer by Chaplain Brubaker:

Almighty God, Creator, Lord,
thank You for this new week—
and the opportunity to start afresh with renewed energy.
As our leaders continue to work out the tough decisions to be made,
help them to not see difficulty in the opportunity,
but to see an opportunity in the difficulty.
Help them to understand that the impossible problem
is solved when they see that the problem
is only a tough decision waiting to be made.
And even though they may have different positions
of thought on the issues,
help them to never make it personal and to always be
accepting, understanding and compassionate of each other.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Carlin.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 201, AN ACT concerning consumer protection; relating to the Kansas consumer protection act, definition of protected consumer; relating to the Kansas no-call act, restricting use of automatic dialing-announcing devices; amending K.S.A. 2016 Supp. 50-670 and 50-676 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf,

Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ellis, Frownfelter, Good, Helgerson, Huebert, Landwehr, Sawyer, Schwab, Stogsdill.

The bill passed, as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2128, H Sub for SB 21**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2128** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 18; following line 18, by inserting:

"Section 1. K.S.A. 2016 Supp. 59-29a08 is hereby amended to read as follows: 59-29a08. (a) Each person committed under the Kansas sexually violent predator act shall have a current examination of the person's mental condition made once every year. The secretary shall provide the ~~committed~~ person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall also forward the annual report, as well as the annual notice and waiver form, to the court that committed the person under the Kansas sexually violent predator act. The court shall file the notice and the report upon receipt.

(b) The person must file a request for an annual review hearing within 45 days after the date the court files the annual written notice. Failure to request a hearing within 45 days pursuant to this subsection waives the person's right to a hearing until the next annual report is filed by the court. A contested annual review hearing for transitional release shall consist of consideration about whether the person is entitled to transitional release. Only a person in transitional release shall be permitted to petition for conditional release. Only a person in conditional release shall be permitted to petition

for final discharge.

(c) The person may retain, or if the person is indigent and so requests the court may appoint a qualified professional person to examine such person, an examiner pursuant to K.S.A. 60-235, and amendments thereto, and such expert or professional person the examiner shall have access to all available records concerning the person. The court that committed the person under the Kansas sexually violent predator act shall then conduct an annual review of the status of the committed person's mental condition. If the person is indigent and makes a request for an examiner, the court shall determine whether the services are necessary and shall determine the reasonable compensation for such services. The court, before appointing an examiner, shall consider factors including the person's compliance with institutional requirements and the person's participation in treatment to determine whether the person's progress justifies the costs of an examination. The appointment of an examiner is discretionary.

(d) At the annual review hearing, the burden of proof shall be upon the person to show probable cause to believe the person's mental abnormality or personality disorder has significantly changed so that the person is safe to be placed in transitional release. The report, or a copy thereof, of the findings of a qualified expert shall be admissible into evidence in the annual review hearing in the same manner and with the same force and effect as if the qualified expert had testified in person. If the person does not participate in the prescribed treatment plan, the person is presumed to be unable to show probable cause to believe the person is safe to be released.

(e) The committed person shall have a right to have an attorney represent the person at the annual review hearing to determine probable cause, but the person is not entitled to be present at the hearing.

(b) Nothing contained in the Kansas sexually violent predator act shall prohibit the person in conditional release from otherwise petitioning the court for discharge at the annual review hearing.

(f) If the person does not file a petition requesting a hearing pursuant to subsection (b), the court that committed the person under the Kansas sexually violent predator act shall then conduct an in camera annual review of the status of the person's mental condition and determine whether the person's mental abnormality or personality disorder has significantly changed so that an annual review hearing is warranted. The court shall enter an order reflecting its determination.

(e)(g) If the court at the annual review hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has ~~so~~ significantly changed so that the person is safe to be placed in transitional release, then the court shall set a hearing for transitional release on the issue. The committed person shall be entitled to be present and entitled to the benefit of all constitutional protections that were afforded the person pursuant to K.S.A. 59-29a06, and amendments thereto assistance of counsel. The attorney general shall represent the state and shall have a right to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate the person on the person's behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at the hearing for transitional release shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be placed in transitional release and if transitionally released is likely to engage in repeat

acts of sexual violence.

~~(h)~~(h) If, after the hearing for transitional release, the court is convinced beyond a reasonable doubt that the person is not appropriate for transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

~~(i)~~(i) If the court determines that the person should be placed in transitional release, the secretary shall transfer the person to the transitional release program. The secretary may contract for services to be provided in the transitional release program. During any period the person is in transitional release, that person shall comply with any rules or regulations the secretary may establish for this program and every directive of the treatment staff of the transitional release program.

~~(j)~~(j) At any time during which the person is in the transitional release program and the treatment staff determines that the person has violated any rule, regulation or directive associated with the transitional release program, the treatment staff may remove the person from the transitional release program and return the person to the secure commitment facility, or may request the district court to issue an emergency ex parte order directing any law enforcement officer to take the person into custody and return the person to the secure commitment facility. Any such request may be made verbally or by telephone, but shall be followed in written, facsimile or electronic form delivered to the court by not later than 5:00 p.m. of the first day the district court is open for the transaction of business after the verbal or telephonic request was made.

~~(k)~~(k) Upon the person being returned to the secure commitment facility from the transitional release program, notice thereof shall be given by the secretary to the court. The court shall set the matter for a hearing within two working days of receipt of notice of the person's having been returned to the secure commitment facility and cause notice thereof to be given to the attorney general, the person and the secretary. The attorney general shall have the burden of proof to show probable cause that the person violated conditions of transitional release. The hearing shall be to the court. At the conclusion of the hearing the court shall issue an order returning the person to the secure commitment facility or to the transitional release program, and may order such other further conditions with which the person must comply if the person is returned to the transitional release program.

(l) For the purposes of this section, if the person is indigent and without counsel, the court shall appoint counsel to assist such person.

Sec. 2. K.S.A. 2016 Supp. 59-29a10 is hereby amended to read as follows: 59-29a10. (a) (1) If the secretary determines that the person's mental abnormality or personality disorder has ~~so~~ significantly changed so that the person is not likely to engage in repeat acts of sexual violence if placed in transitional release, the secretary shall authorize the person to petition the court for transitional release. The petition shall be served upon the court and the attorney general. The court, upon service of the petition for transitional release, shall issue notice of a hearing to be scheduled within 30 days. The attorney general shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of ~~such attorney's~~ the attorney general's choice. The burden of proof shall be upon the attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if placed in transitional release is likely to engage in repeat acts of sexual violence.

~~(b)(2)~~ If, after the hearing, the court is convinced beyond a reasonable doubt that the person is not sufficiently safe to warrant transitional release, the court shall order that the person remain in secure commitment. Otherwise, the court shall order that the person be placed in transitional release.

~~(e)(3)~~ The provisions of K.S.A. 59-29a08(e), ~~(f)~~ and ~~(g)~~ (i), (j) and (k), and amendments thereto, shall apply to a transitional release pursuant to this section.

(b) (1) If the secretary determines that the person's mental abnormality or personality disorder has significantly changed so that the person is not likely to engage in repeat acts of sexual violence if placed in conditional release, the secretary shall authorize the person to petition the court for conditional release. The petition shall be served upon the court and the attorney general. The court, upon service of the petition for conditional release, shall issue notice of a hearing to be scheduled within 30 days. The attorney general shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of the attorney general's choice. The burden of proof shall be upon the attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if placed in conditional release is likely to engage in repeat acts of sexual violence.

(2) If, after the hearing, the court is convinced beyond a reasonable doubt that the person is not sufficiently safe to warrant conditional release, the court shall order that the person remain either in secure commitment or in transitional release. Otherwise, the court shall order that the person be placed in conditional release.

(3) The provisions of K.S.A. 59-29a18(h) and 59-29a19(a), (d) and (e), and amendments thereto, shall apply to a conditional release pursuant to this section.

Sec. 3. K.S.A. 2016 Supp. 59-29a18 is hereby amended to read as follows: 59-29a18. (a) During any period the person is in transitional release, the person committed under this act at least annually, and at any other time deemed appropriate by the treatment staff, shall be examined by the treatment staff to determine if the person's mental abnormality or personality disorder has ~~so~~ significantly changed so as to warrant such person being considered for conditional release. ~~The treatment staff shall forward a report of its examination to the court. The court shall review the same. If the court determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be placed in conditional release, the court shall then set a hearing on the issue. The attorney general shall have the burden of proof to show beyond a reasonable doubt that the person's mental abnormality or personality disorder remains such that the person is not safe to be at large and that if placed on conditional release is likely to engage in repeat acts of sexual violence. The person shall have the same rights as enumerated in K.S.A. 59-29a06, and amendments thereto. Subsequent to either a court review or a hearing, the court shall issue an appropriate order with findings of fact. The order of the court shall be provided to the attorney general, the person and the secretary. The secretary shall provide the person with a written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall also forward the report, as well as the notice and waiver form, to the court that committed the person under the Kansas sexually violent predator act. The court shall file the notice and the report upon receipt.~~

(b) The person must file a request for an annual review hearing within 45 days after

the date the court files the annual written notice pursuant to subsection (a). Failure to request a hearing within 45 days pursuant to this subsection shall waive the person's right to a hearing until the next annual report is filed by the court. A contested annual review hearing for conditional release shall consist of consideration about whether the person is entitled to conditional release from transitional release. Only a person in transitional release shall be permitted to petition for conditional release. No person in transitional release shall be permitted to petition for final discharge.

(c) The person may retain, or if the person is indigent and so requests, the court may appoint, an examiner pursuant to K.S.A. 60-235, and amendments thereto, and the examiner shall have access to all available records concerning the person. If the person is indigent and makes a request for an examiner, the court shall determine whether the services are necessary and shall determine the reasonable compensation for such services. The court, before appointing an examiner, shall consider factors including the person's compliance with institutional requirements and the person's participation in treatment to determine whether the person's progress justifies the costs of an examination. The appointment of an examiner is discretionary.

(d) At the annual review hearing, the burden of proof shall be upon the person to show probable cause to believe the person's mental abnormality or personality disorder has significantly changed so that the person is safe to be placed in conditional release. The report, or a copy thereof, of the findings of a qualified expert shall be admissible into evidence in the annual review hearing in the same manner and with the same force and effect as if the qualified expert had testified in person. If the person does not participate in the prescribed treatment plan, the person is presumed to be unable to show probable cause to believe the person is safe to be released.

(e) The person shall have a right to have an attorney represent the person at the annual review hearing to determine probable cause, but the person is not entitled to be present at the hearing.

(f) If the person does not file a petition requesting a hearing pursuant to subsection (b), the court that committed the person under the Kansas sexually violent predator act shall then conduct an in camera annual review of the status of the person's mental condition and determine whether the person's mental abnormality or personality disorder has significantly changed so that an annual review hearing is warranted. The court shall enter an order reflecting its determination.

(g) If the court at the annual review hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has significantly changed so that the person is safe to be placed in conditional release, then the court shall set a hearing for conditional release on the issue. The person shall be entitled to be present and entitled to the assistance of counsel. The attorney general shall represent the state and shall have a right to have the person evaluated by experts chosen by the state. The person shall also have the right to have experts evaluate the person on the person's behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at the hearing for conditional release shall be upon the state to prove beyond a reasonable doubt that the person's mental abnormality or personality disorder remains such that the person is not safe to be placed in conditional release and if conditionally released is likely to engage in repeat acts of sexual violence.

(h) If, after the hearing for conditional release, the court is convinced beyond a reasonable doubt that the person is not appropriate for conditional release, the court

shall order that the person remain either in secure commitment or in transitional release. Otherwise, the court shall order that the person be placed on conditional release.

(i) Subsequent to either a court review or a hearing, the court shall issue an appropriate order with findings of fact. The order of the court shall be provided to the attorney general, the person and the secretary.

(j) For the purposes of this section, if the person is indigent and without counsel, the court shall appoint counsel to assist such person."

Also on page 3, in line 19, by striking "75-4319 is" and inserting "59-29a08, 59-29a10 and 59-29a18 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "Kansas"; in line 2, by striking all before the second semicolon and inserting "sexually violent predator act; relating to examinations; transitional release; conditional release"; in line 3, by striking "75-4319" and inserting "59-29a08, 59-29a10 and 59-29a18"; in line 4, by striking "section" and inserting "sections";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN
MOLLY BAUMGARDNER
DAVID HALEY

Conferees on part of Senate

BLAINE FINCH
FRED PATTON
JOHN CARMICHAEL

Conferees on part of House

On motion of Rep. Finch, the conference committee report on **HB 2128** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Ellis, Frownfelter, Good, Helgerson, Huebert, Landwehr, Sawyer, Schwab, Stogsdill.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 21** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as House Substitute for Senate Bill No. 21, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 25; following line 25, by inserting:

"Section 1. K.S.A. 2016 Supp. 74-4914, as amended by section 4 of 2017 Senate Bill No. 205, is hereby amended to read as follows: 74-4914. (1) The normal retirement date for a member of the system shall be the first day of the month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days, or 180 days as provided in subsection (10), and without any prearranged agreement for employment with any participating employer, and the attainment of age 65 or, commencing July 1, 1993, age 62 with the completion of 10 years of credited service or the first day of the month coinciding with or following the date that the total of the number of years of credited service and the number of years of attained age of the member is equal to or more than 85. In no event shall a normal retirement date for a member be before six months after the entry date of the participating employer by whom such member is employed. A member may retire on the normal retirement date or on the first day of any month thereafter upon the filing with the office of the retirement system of an application in such form and manner as the board shall prescribe. Such application shall contain a certification by the member that the member will not be employed with any participating employer within 60 days, or 180 days as provided in subsection (10), of retirement and the member has not entered into a prearranged agreement for employment with any participating employer. Nothing herein shall prevent any person, member or retirant from being employed, appointed or elected as an employee, appointee, officer or member of the legislature. Elected officers may retire from the system on any date on or after the attainment of the normal retirement date, but no retirement benefits payable under this act shall be paid until the member has terminated such member's office.

(2) No retirant shall make contributions to the system or receive service credit for any service after the date of retirement.

(3) Any member who is an employee of an affiliating employer pursuant to K.S.A. 74-4954b, and amendments thereto, and has not withdrawn such member's accumulated contributions from the Kansas police and firemen's retirement system may retire before such member's normal retirement date on the first day of any month coinciding with or following the attainment of age 55.

(4) Any member may retire before such member's normal retirement date on the first day of any month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days, or 180 days as provided in subsection (10), and the attainment of age 55 with the completion of 10 years of credited service, but in no event before six months after the entry date, upon the filing with the office of the retirement system of

an application for retirement in such form and manner as the board shall prescribe. The member's application for retirement shall contain a certification by the member that the member will not be employed with any participating employer within 60 days or 180 days as provided in subsection (10), of retirement and the member has not entered into a prearranged agreement for employment with any participating employer.

(5) Except as provided in ~~subsection~~ subsections (7) and (10), on or after July 1, 2006, through December 31, 2017, for any retirant who is first employed or appointed in or to any position or office by a participating employer other than a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, and, on or after April 1, 2009, for any retirant who is employed by a third-party entity who contracts services with a participating employer other than a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, with such retirant, such participating employer shall pay to the system the actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retirant's compensation during any such period of employment or appointment. If a retirant is employed or appointed in or to any position or office for which compensation for service is paid in an amount equal to ~~\$20,000 or more in any one such calendar year~~, or \$25,000 or more in any one calendar year between July 1, 2016, and ~~July 1, 2020~~ January 1, 2018, by any participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, and, on or after April 1, 2009, by any third-party entity who contracts services to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, with such retirant with a participating employer for which such retirant was employed or appointed during the final two years of such retirant's participation, such retirant shall not receive any retirement benefit for any month for which such retirant serves in such position or office. The participating employer who employs such retirant whether by contract directly with the retirant or through an arrangement with a third-party entity shall report to the system within 30 days of when the compensation paid to the retirant is equal to or exceeds any limitation provided by this section. Any participating employer who contracts services with any such third-party entity to fill a position covered under K.S.A. 72-5410(a), and amendments thereto, shall include in such contract a provision or condition which requires the third-party entity to provide the participating employer with the necessary compensation paid information related to any such position filled by the third-party entity with a retirant to enable the participating employer to comply with provisions of this subsection relating to the payment of contributions and reporting requirements. The provisions and requirements provided for in amendments made in this act which relate to positions filled with a retirant or employment of a retirant by a third-party entity shall not apply to any contract for services entered into prior to April 1, 2009, between a participating employer and third-party entity as described in this subsection. Any retirant employed by a participating employer or a third-party entity as provided in this subsection shall not make contributions nor receive additional credit under such system for such service except as provided by this section. Upon request of the executive director of the system, the secretary of revenue shall provide such information as may be needed by the executive director to carry out the provisions of this act. The provisions of this subsection shall not apply to retirants employed as substitute teachers

~~without a contract or officers, employees or appointees of the legislature. The provisions of this subsection shall not apply to members of the legislature prior to January 8, 2000. The provisions of this subsection shall not apply to any other elected officials prior to the term of office of such elected official which commences on or after July 1, 2000. The provisions of this subsection shall apply to any other elected official, except an elected city or county officer as further provided in this subsection, on and after the term of office of such other elected official which commences on or after July 1, 2000. Notwithstanding any provisions of law to the contrary, when an elected city or county officer is retired under the provisions of subsection (1) or (4) of this section and is paid an amount of compensation of \$25,000 or more in any one calendar year between July 1, 2016, and July 1, 2020, such officer may receive such officer's salary, and still be entitled to receive such officer's retirement benefit pursuant to the provisions of K.S.A. 74-4915 et seq., and amendments thereto. Except as otherwise provided, commencing January 8, 2001, the provisions of this subsection shall apply to members of the legislature. For determination of the amount of compensation paid pursuant to this subsection, for members of the legislature, compensation shall include any amount paid as provided pursuant to K.S.A. 46-137a(a), (b), (c) and (d), and amendments thereto, or pursuant to K.S.A. 46-137b, and amendments thereto. Notwithstanding any provision of law to the contrary, when a member of the legislature is paid an amount of compensation of \$20,000 or more in any one calendar year, the member may continue to receive any amount provided in K.S.A. 46-137a(b) and (d), and amendments thereto, and still be entitled to receive such member's retirement benefit. Commencing July 1, 2005, the provisions of this subsection shall not apply to retirants who either retired under the provisions of subsection (1), or, if they retired under the provisions of subsection (4), were retired more than 30 days prior to the effective date of this act and are licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in K.S.A. 76-12a01(b) or K.S.A. 38-2302(k), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment. The provisions of the subsection shall expire on January 1, 2018.~~

(6) For purposes of this section, any employee of a local governmental unit which has its own pension plan who becomes an employee of a participating employer as a result of a merger or consolidation of services provided by local governmental units, which occurred on January 1, 1994, may count service with such local governmental unit in determining whether such employee has met the years of credited service requirements contained in this section.

(7) (a) (i) Except as provided in K.S.A. 74-4937(3), (4), or (5), and amendments thereto, and the provisions of this subsection, commencing July 1, 2016, and ending ~~July 1, 2020~~ January 1, 2018, any retirant who is employed or appointed in or to any position by a participating employer, an independent contractor or a third-party entity who contracts services with a participating employer to fill a position, without any prearranged agreement with such participating employer and not prior to 60 days after such retirant's retirement date, shall not receive any retirement benefit for any month in

any calendar year in which the retirant receives compensation in an amount equal to \$25,000 or more, pursuant to this subsection. ~~The provisions of this subsection shall apply to members of the legislature. Any participating employer who hires a retirant covered by this subsection shall pay to the system the statutorily prescribed employer contribution rate for such retirant, without regard to whether the retirant is receiving benefits.~~

(ii) ~~Commencing January 1, 2018, for all retirements that occurred prior to such date, any retirant who is employed or appointed in or to any position by a participating employer, an independent contractor or a third-party entity who contracts services with a participating employer to fill a position, without any prearranged agreement with such participating employer and not prior to 60 days after such retirant's retirement date, shall not be subject to an earnings limitation that when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in such position. If a retirant is employed in a covered position, as defined in K.S.A. 2016 Supp. 74-49,202, and amendments thereto, the participating employer of such retirant shall pay to the system the statutorily prescribed employer contribution rate on the first \$25,000 of such retirant's compensation in a calendar year and a 30% employer contribution on any compensation in excess of \$25,000 in a calendar year during any such period of employment. If a retirant is employed by more than one participating employer or performing duties in more than one position, contributions shall be made on compensation from all such employment for that calendar year. If a retirant is employed in a non-covered position, no employer contribution shall be paid to the system.~~

(b) The provisions of this subsection shall not apply, except as specifically provided in this subsection, to retirants who are:

(i) Licensed professional nurses or licensed practical nurses employed by the state of Kansas in an institution as defined in K.S.A. 76-12a01(b) or 38-2302(k), and amendments thereto, the Kansas soldiers' home or the Kansas veterans' home. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation and the statutorily prescribed employee contribution during any such period of employment;

(ii) ~~employed by a school district in a position as provided in K.S.A. 74-4937(3), (4) or (5), and amendments thereto. Any retirant employed by a school district in a position under K.S.A. 74-4937(3), (4) or (5), and amendments thereto, shall be subject to the provisions of subsection (7)(h) which relate to a limitation on the total term of employment with any participating employer in which a retirant may receive such retirant's full retirement benefit;~~

(iii) certified law enforcement officers employed by the law enforcement training center. Such law enforcement officers shall receive their benefits notwithstanding this subsection. The law enforcement training center shall pay to the system the actuarially determined employer contribution and the statutorily prescribed employee contribution based on the retirant's compensation during any such period of employment;

(iv) members of the Kansas police and firemen's retirement system pursuant to K.S.A. 74-4951 et seq., and amendments thereto, members of the retirement system for judges pursuant to K.S.A. 20-2601 et seq., and amendments thereto, or members of the state board of regents retirement plan pursuant to K.S.A. 74-4925 et seq., and amendments thereto;

(v) employed as substitute teachers without a contract or officers, employees or appointees of the legislature;

(vi) a poll worker hired to work an election day for a county election officer responsible for conducting all official elections held in the county; ~~and~~

(vii) employed by, or have accepted employment from, a participating employer prior to May 1, 2015. Any break in continuous employment by a retirant or move to a different position by a retirant during the effective period of this subsection shall be deemed new employment and shall subject the retirant to the provisions of this subsection. Commencing January 1, 2018, the participating employer of a retirant described in this subsection (7)(b)(vii) who is employed in a covered position, as defined in K.S.A. 2016 Supp. 74-49,202, and amendments thereto, shall pay to the system the statutorily prescribed employer contribution rate on the first \$25,000 of such retirant's compensation in a calendar year and a 30% employer contribution on any compensation in excess of \$25,000 in a calendar year during any such period of employment. If a retirant is employed by more than one participating employer or performing duties in more than one position, contributions shall be made on compensation from all such employment for that calendar year. If a retirant is employed in a non-covered position, no employer contribution shall be paid to the system; or

(viii) state or local elected officials. A retirant shall not be employed in an elected office within 30 days of such retirant's retirement, except that if a retirant is filling a vacant elected office, no waiting period shall be required.

(c) The participating employer shall enroll all retirants, including retirants under subsection (7)(b)(i), (ii), (iii), (vii) and (viii), and report to the system when compensation is paid to a retirant as provided in this subsection. Such report shall contain a certification by the appointing authority of the participating employer that any hired retirant has not been employed by the participating employer within 60 days of such retirant's retirement and that there was no prearranged agreement for employment between the participating employer and the hired retirant. Upon request of the executive director of the system, the participating employer shall provide such information as may be needed by the executive director to carry out the provisions of this subsection. ~~Any participating employer who hires a retirant covered by this subsection shall pay to the system the statutorily prescribed employer contribution rate for such retirant, without regard to whether the retirant is receiving benefits. No retirant shall make contributions to the system or receive credit for service while employed under the provisions of this subsection.~~

(d) A participating employer may employ a retirant without regard to the compensation limitation in this subsection for a period of one calendar year or one school year, as the case may be, if the following requirements are met:

(i) The employer certifies to the board that the position being filled has been vacated due to an unexpected emergency or the employer has been unsuccessful in filling the position;

(ii) the employer pays to the system a 30% employer contribution based on the retirant's compensation during any such period of employment. ~~On or before July 1, 2019, and at least every three years thereafter, the board, in consultation with the system's consulting actuary, shall evaluate the plan's experience with employment of such retirants and the corresponding employer contribution rate to assess whether the employer contribution rate can be expected to fund adverse experience or higher~~

liabilities accruing under the system in connection with employment of such retirants, to the extent that such liability can be ascertained or estimated. Based on this evaluation of the plan's experience, the board may certify to the division of the budget, in the case of the state, and to the agent for each other participating employer, a new rate if needed to more fully fund such adverse experience or additional liabilities, but such rate shall not be less than 30%; and

(iii) the employer maintains documentation of its efforts to fill the position with a non-retirant and provides such documentation to the joint committee on pensions, investments and benefits upon request of the committee.

The provisions of this paragraph shall expire on January 1, 2018.

(e) An employer may submit a written assurance protocol to the system to extend the exception provided for in subsection (7)(d) by one-year increments for a total extension not to exceed three years. A written assurance protocol shall be submitted to the system for each one-year increment extension. If a school district submits a written assurance protocol, such written assurance protocol shall be signed by the superintendent and the board president of such school district. If a municipality, as defined in K.S.A. 75-1117, and amendments thereto, other than a school district, submits a written assurance protocol, such written assurance protocol shall be signed by the governing body or such governing body's designee for such municipality. Such written assurance protocol shall state that the position was advertised on multiple platforms for a minimum of 30 calendar days and that at least one of the following conditions occurred:

- (i) No applications were submitted for the position;
- (ii) if applications were submitted, none of the applicants met the reference screening criteria of the employer; or
- (iii) if applications were submitted, none of the applicants possessed the appropriate licensure, certification or other necessary credentials for the position.

The provisions of this paragraph shall expire on January 1, 2018.

~~(f) On July 1, 2021, and at least every five years thereafter, the joint committee on pensions, investments and benefits shall study the issue of whether the compensation limitation prescribed in this subsection should be adjusted. The committee shall consider the effect of inflation and data on member retirement benefits and active-employee compensation. Retirants who are independent contractors or employees of third-party entities who contract with a participating employer, shall not be subject to the compensation limitation or employer contribution requirements in this subsection or the requirements of subsection (7)(c) regarding enrollment and reporting to the system, so long as all of the following apply:~~

~~(A) The contractual relationship was not created to allow the retirant to continue employment with the participating employer after retirement in a position similar to the one such retirant held prior to retirement;~~

~~(B) the activities performed by the independent contractor or third-party entity are not normally performed exclusively by employees of that participating employer; and~~

~~(C) the retirant meets the classification of independent contractor as provided in K.S.A. 2016 Supp. 44-768, and amendments thereto, or activities performed by the third-party entity that employs the retirant are performed on a limited-term basis and the third-party entity is not a participating employer in the system.~~

(g) Nothing in this subsection shall be construed to create any right, or to authorize

the creation of any right, which is not subject to amendment or nullification by act of the legislature.

~~(h) Any retiree hired by any participating employer under the provisions of subsection (7)(d) or K.S.A. 74-4937(3), (4) or (5), and amendments thereto, may continue to receive such retiree's full retirement benefit so long as, commencing July 1, 2016, such retiree's total term of employment with all participating employers under one or more of such provisions does not exceed 48 months or four school years, whichever is less. After such period, such retiree shall not receive any retirement benefit for any month in any calendar year in which such retiree receives compensation in an amount equal to \$25,000 or more in such calendar year.~~

(8) If determined by the retirement system that a retiree entered into a prearranged agreement for employment with a participating employer prior to such retiree's retirement and prior to the end of the subsequent 60-day waiting period, or the 180-day waiting period under subsection (10), the monthly retirement benefit of such retiree shall be suspended during the period that begins on the month in which the retiree is re-employed and ends six months after the retiree's termination of such employment. The retiree shall repay to the retirement system all monthly retirement benefits paid to the retiree by the retirement system that the retiree received after such employment began. The participating employer which hired such retiree shall be required to pay to the system any fees, fines, penalties or any other cost imposed by the internal revenue service and indemnify the system for any cost incurred by the system to defend any action brought by the internal revenue service based on in-service distributions which are a result of any determined prearranged agreement and for any cost incurred by the system to collect any monthly retirement benefit required to be repaid by such retiree pursuant to this subsection.

(9) For the purposes of this section a prearranged agreement for employment may be determined by whether the facts and circumstances of the situation indicate that the employer and employee reasonably anticipated that further services would be performed after the employee's retirement.

(10) (a) Notwithstanding the provisions of subsection (5) or (7) to the contrary, commencing January 1, 2018, any retiree who is retired more than 60 days, if such retiree's age on the date of retirement is 62 or older, or is retired more than 180 days, if such retiree's age on the date of retirement is less than 62, and who is subsequently hired without any prearranged agreement with the participating employer in a covered position, as defined in K.S.A. 2016 Supp. 74-49,202, and amendments thereto, or an independent contractor or a third-party entity who contracts service to fill such covered position shall not be subject to an earnings limitation that when met or exceeded requires that the retiree not receive a retirement benefit for any month for which such retiree serves in such covered position. The participating employer of such retiree shall pay to the system the statutorily prescribed employer contribution rate on the first \$25,000 of such retiree's compensation in a calendar year and a 30% employer contribution on any compensation in excess of \$25,000 in a calendar year during any such period of employment. If a retiree is employed by more than one participating employer or performing duties in more than one position, contributions shall be made on compensation from all such employment for that calendar year.

(b) Notwithstanding the provisions of subsection (5) or (7) to the contrary, commencing January 1, 2018, any retiree who is retired more than 60 days, if such

retirant's age on the date of retirement is 62 or older, or is retired more than 180 days, if such retirant's age on the date of retirement is less than 62, and who is subsequently hired without any prearranged agreement with the participating employer in a non-covered position, or an independent contractor or a third-party entity who contracts service to fill such non-covered position, shall not be subject to an earnings limitation that when met or exceeded requires that the retirant not receive a retirement benefit for any month for which such retirant serves in such non-covered position. No employer contribution shall be paid to the system on compensation paid to a retirant hired in a non-covered position.

(c) The participating employer shall enroll all retirants, including retirants under subsection (7)(b)(i), (ii), (iii), (vii) and (viii), and report to the system when compensation is paid to a retirant as provided in this subsection. Such report shall contain a certification by the appointing authority of the participating employer that any hired retirant has not been employed by the participating employer within 60 days of such retirant's retirement in the case of a retirant whose age on the date of retirement is 62 or older, or within 180 days of such retirant's retirement in the case of a retirant whose age on the date of retirement is less than 62, and that there was no prearranged agreement for employment between the participating employer and the hired retirant. Upon request of the executive director of the system, the participating employer shall provide such information as may be needed by the executive director to carry out the provisions of this subsection. No retirant shall make contributions to the system or receive credit for service while employed under the provisions of this subsection.

(d) The provisions of this subsection relating to an earnings limitation and employer contributions shall not apply to any retirant described in subsection (7)(b) or to retirants who are independent contractors or employees of third-party entities who contract with a participating employer as described in subsection (7)(f), except as specifically provided in this subsection.

(e) Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right that is not subject to amendment or nullification by act of the legislature.";

Also on page 8, in line 31, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,";

On page 9, in line 2, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,"; in line 9, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,"; in line 14, after "days" by inserting ", or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto,"; in line 17, by striking "Before July 1, 2020,"; also in line 17, after "(5)" by inserting ", (7) and (10)"; in line 24, by striking all after the second comma; in line 25, by striking all before "and"; in line 28, by striking all after "to"; by striking all in line 29; in line 30, by striking all before the period and inserting "January 1, 2018"; in line 34, after "employed" by inserting "as an independent contractor or"; in line 38, after the period by inserting "Commencing January 1, 2018, if a retirant is employed in a covered position, as defined in K.S.A. 2016 Supp. 74-49,202, and amendments thereto, the participating employer shall pay to the system the statutorily prescribed employer contribution rate on the first \$25,000 of such retirant's compensation in a calendar year and a 30% employer contribution on any compensation in excess of \$25,000 in a calendar year during any such period of employment. If a retirant is employed by more

than one participating employer or performing duties in more than one position, contributions shall be made on compensation from all such employment for that calendar year. If a retirant is employed in a non-covered position, no employer contribution shall be paid to the system.";

On page 10, in line 6, after "teachers" by inserting "without a contract"; in line 11, by striking "The"; by striking all in lines 12 through 15;

On page 11, in line 6, by striking all after the period; by striking all in lines 7 through 16; in line 17, by striking all before "The"; in line 19, after "teachers" by inserting "without a contract";

On page 12, in line 7, by striking all after "on"; in line 8, by striking "2017" and inserting "January 1, 2018"; by striking all in lines 9 through 20;

On page 13, in line 19, by striking all after the period; by striking all in lines 20 through 29; in line 30, by striking all before "The"; in line 31, after "teachers" by inserting "without a contract";

On page 14, in line 21, by striking all after "on"; in line 22, by striking "2017" and inserting "January 1, 2018"; by striking all in lines 23 through 34; in line 37, by striking all after "(7)"; by striking all in lines 38 through 43;

On page 15, by striking all in lines 1 through 3; in line 4, by striking "(8)"; following line 8, by inserting:

"Sec. 3. K.S.A. 2016 Supp. 74-49,204 is hereby amended to read as follows: 74-49,204. The normal retirement date for a member of the system first employed by a participating employer on or after July 1, 2009, shall be the first day of the month coinciding with or following termination of employment with any participating employer not followed by employment with any participating employer within 60 days, or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto, without any prearranged agreement for employment with any participating employer, and the attainment of age 65 with the completion of five years of credited service, or age 60 with the completion of 30 years of credited service. The provisions of this section shall apply to a member of the retirement system who is in school employment and who is subject to K.S.A. 74-4940, and amendments thereto.

Sec. 4. K.S.A. 2016 Supp. 74-49,313 is hereby amended to read as follows: 74-49,313. (a) Except as provided in subsection (e), a member who has a nonforfeitable interest in the member's retirement annuity account, at any time after termination from service with any participating employer not followed by employment with any participating employer within 60 days, or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto, and without any prearranged agreement for reemployment with any participating employer, and the attainment of normal retirement age, shall receive an annuity based upon the balance in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate equal to the actuarial assumed investment rate of return established by the board minus 2%, as of the member's annuity start date. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such rights to do so.

(b) Except as provided in subsection (e), a member who has a vested interest in the member's retirement annuity account, who terminates covered employment with any participating employer not followed by employment with any participating employer

within 60 days, or 180 days as provided in K.S.A. 74-4914(10), and amendments thereto, and without any prearranged agreement for reemployment with any participating employer, without forfeiting such member's account, with the completion of at least 10 years of service, shall be eligible to receive, upon attainment of age 55, an annuity based upon employer credits and interest credits in such member's retirement annuity account, using mortality rates established by the board by official action as of the member's annuity start date and an interest rate established by the legislature as of the member's annuity start date, and such interest rate shall be equal to the actuarially assumed investment rate of return established by the board minus 2%, as of the member's annuity start date. The legislature may from time to time prospectively change the interest rate and the board may from time to time prospectively change the mortality rates, and the legislature expressly reserves such rights to do so.

(c) The form of benefit payable under subsections (a) and (b) shall be a single life annuity with 10-year certain. The member may elect any option described in K.S.A. 74-4918, and amendments thereto, except the partial lump-sum option, subject to actuarial factors established by the board from time to time. The benefit option selected may include a self-funded cost-of-living adjustment feature, in which the account value is converted to a benefit amount that increases by a fixed percentage over time. One or more fixed percentages shall be established by the board, which may be changed from time to time. In lieu of a part of an annuity, for a member entitled to a benefit under subsection (a), the member may elect to receive a lump-sum of such member's retirement annuity account of any fixed dollar amount or percent, but in no event may the lump-sum option elected under this section and the lump-sum option elected under K.S.A. 2016 Supp. 74-49,311(a), and amendments thereto, exceed 30% of the total value of such member's annuity savings account and retirement annuity account.

(d) Except as provided in subsection (e), in the case of an active or inactive member:

- (1) Who is vested in the member's retirement annuity account;
- (2) who has five or more years of service at death; and
- (3) who dies before attaining normal retirement age, with such member's spouse at time of death designated as such member's sole primary beneficiary, the member's surviving spouse on and after the date the member would have attained normal retirement age had such member not died, shall receive an annuity based upon employer credits and interest credits in the retirement annuity account, using factors established by the board by official action as of the beneficiary's annuity start date. The form of benefit shall be a single life annuity with 10-year certain.

(e) If a member's vested retirement annuity account is less than \$1,000 upon separation from service, or the total of the member's vested retirement annuity account and annuity savings account balance is less than \$1,000, the account balance or balances shall be mandatorily distributed to the member in accordance with section 401(a)(31)(B) of the federal internal revenue code. If the member does not elect to have such distribution paid directly to an eligible retirement plan specified by the participant in a direct rollover or to receive the distribution directly, then the board will pay the distribution to the member directly.";

Also on page 15, in line 9, by striking "74-4914f and" and inserting "as amended by section 4 of 2017 Senate Bill No. 205,"; also in line 9, after "74-4937" by inserting ", 74-49,204 and 74-49,313";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking the first "and" and inserting ", as amended by section 4 of 2017 Senate Bill No. 205,"; also in line 3, after "74-4937" by inserting ", 74-49,204 and 74-49,313"; in line 4, by striking "; also repealing K.S.A. 2016 Supp. 74-4914f";

And your committee on conference recommends the adoption of this report.

JIM KELLY
RANDY POWELL
ED TRIMMER

Conferees on part of House

JEFF LONGBINE
RICK BILLINGER
LYNN W. ROGERS

Conferees on part of Senate

On motion of Rep. Kelly, the conference committee report on **H Sub for SB 21** was adopted.

On roll call, the vote was: Yeas 114; Nays 0; Present but not voting: 2; Absent or not voting: 9.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hoffman, Holscher, Houser, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: Hodge, Miller.

Absent or not voting: Ellis, Frownfelter, Good, Helgerson, Huebert, Landwehr, Sawyer, Schwab, Stogsdill.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Sawyer as a member of the conference committee on **SB 30**.

COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Sawyer on Committee on Taxation on May 22, 2017.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

 AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

HB 2428, AN ACT concerning sales and compensating use tax; relating to exemptions and the repeal thereof; amending K.S.A. 2016 Supp. 79-3603 and 79-3606 and repealing the existing sections, by Committee on Taxation.

On motion of Rep. Hineman, the House recessed until 7:00 p.m.

 EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 30** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 12;

On page 13, by striking all in lines 1 through 32; following line 32, by inserting:

"Section 1. K.S.A. 2016 Supp. 12-17,165 is hereby amended to read as follows: 12-17,165. (a) When a city or county proposes to establish a STAR bond project district, within an eligible area, the city or county shall adopt a resolution stating that the city or county is considering the establishment of a STAR bond project district. Such resolution shall:

- (1) Give notice that a public hearing will be held to consider the establishment of a STAR bond project district and fix the date, hour and place of such public hearing;
- (2) describe the proposed boundaries of the STAR bond project district;
- (3) describe the STAR bond project district plan;
- (4) state that a description and map of the proposed STAR bond project district are available for inspection at a time and place designated; and
- (5) state that the governing body will consider findings necessary for the establishment of a STAR bond project district.

Notice shall be given as prescribed in ~~subsection (f)(2)~~ of K.S.A. 2016 Supp. 12-17,166(f)(2), and amendments thereto.

- (b) The city or county shall submit the proposed STAR bond project district to the

secretary for a determination that the district is an eligible area as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto.

(c) Upon the conclusion of the public hearing, and a finding by the secretary that the proposed project district is an eligible area, the governing body of the municipality shall pass an ordinance or resolution.

(1) An ordinance or resolution for a STAR bond project district shall:

(A) Make findings that the STAR bond project district proposed to be developed is an historic theater, or a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto;

(B) contain a STAR bond project district plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each STAR bond project area. The boundaries of such STAR bond project district shall not include any area not designated in the notice required by subsection (a); and

(C) contain the legal description of the STAR bond project district and may establish the STAR bond project district.

(2) If no ordinance or resolution is passed by the city or county within 30 days from the conclusion of the public hearing, then such STAR bond project district shall not be established.

(d) The governing body of a city or county may establish a STAR bond project district within that city or such city may establish a district inclusive of land outside the boundaries of the city or wholly outside the boundaries of such city upon written consent of the board of county commissioners. Prior to providing written consent, the board of county commissioners must provide notice and hold a hearing as is required of a city pursuant to subsection (a) for the establishment of a STAR bond project district.

The governing body of a county may establish a STAR bond project district within the unincorporated area of the county.

(e) One or more STAR bond projects may be undertaken by a city or county within a STAR bond project district after such STAR bond project district has been established in the manner provided by this section.

(f) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the provisions of K.S.A. 2016 Supp. 12-17,160 et seq., and amendments thereto, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the hearing for the establishment of the STAR bond project district required by subsection (a) that the proposed STAR bond project district will have an adverse effect on such county or school district. The board of county commissioners or board of education shall deliver a copy of such resolution to the city or county. The city or county shall within 30 days of receipt of such resolution pass an ordinance or resolution dissolving the STAR bond project district. The provisions of this subsection shall not apply if the STAR bond project plan provides that ad valorem property tax revenues of the county or the school district levying taxes on such property will not be adversely impacted.

(g) A STAR bond project shall not include a project for a gambling casino.

(h) No new STAR bond project district may be established from the effective date of this act, through July 1, 2018, except that, for STAR bond project districts established prior to the effective date of this act, the forgoing shall not prohibit a city or county.

from utilizing all provisions of the STAR bonds financing act, including, but not limited to, K.S.A. 2016 Supp. 12-17,171, and amendments thereto.

Sec. 2. K.S.A. 2016 Supp. 12-17,179 is hereby amended to read as follows: 12-17,179. (a) A city that created a redevelopment district in an eligible area that was approved for STAR bonds prior to the effective date of this act for the city of Manhattan Discovery Center on December 28, 2006, and the Schlitterbahn project in Wyandotte county on December 23, 2005, may by ordinance elect to have the provisions of this act applicable to such redevelopment district.

(b) The provisions of this act regarding STAR bond projects shall expire on and after July 1, ~~2017~~ 2022.

Sec. 3. K.S.A. 2016 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015; and 2016 ~~and 2017~~:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year ~~2018, and all tax years thereafter~~ 2017:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.6% <u>2.9%</u> of Kansas taxable income
Over \$30,000 <u>but not over \$60,000</u>	\$780 <u>\$870</u> plus 4.6% <u>4.9%</u> of excess over \$30,000
<u>Over \$60,000.....</u>	<u>\$2,340 plus 5.2% of excess over \$60,000</u>

(F) For tax year 2018, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$30,000.....</u>	<u>3.1% of Kansas taxable income</u>
<u>Over \$30,000 but not over \$60,000.....</u>	<u>\$930 plus 5.25% of excess</u>
	<u>over \$30,000</u>
<u>Over \$60,000.....</u>	<u>\$2,505 plus 5.7% of excess</u>
	<u>over \$60,000</u>

(2) *All other individuals.*

(A) For tax year 2012:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>3.5% of Kansas taxable income</u>
<u>Over \$15,000 but not over \$30,000.....</u>	<u>\$525 plus 6.25% of excess over \$15,000</u>
<u>Over \$30,000.....</u>	<u>\$1,462.50 plus 6.45% of excess over \$30,000</u>

(B) For tax year 2013:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>3.0% of Kansas taxable income</u>
<u>Over \$15,000.....</u>	<u>\$450 plus 4.9% of excess over \$15,000</u>

(C) For tax year 2014:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>2.7% of Kansas taxable income</u>
<u>Over \$15,000.....</u>	<u>\$405 plus 4.8% of excess over \$15,000</u>

(D) For tax years 2015; ~~and 2016 and 2017:~~

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>2.7% of Kansas taxable income</u>
<u>Over \$15,000.....</u>	<u>\$405 plus 4.6% of excess over \$15,000</u>

(E) For tax year ~~2018, and all tax years thereafter~~ 2017:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>2.6% <u>2.9%</u> of Kansas taxable income</u>
<u>Over \$15,000 but not over \$30,000.....</u>	<u>\$390 <u>\$435</u> plus 4.6% <u>4.9%</u> of excess over \$15,000</u>
<u>Over \$30,000.....</u>	<u>\$1,170 plus 5.2% of excess over \$30,000</u>

(F) For tax year 2018, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>3.1% of Kansas taxable income</u>
<u>Over \$15,000 but not over \$30,000.....</u>	<u>\$465 plus 5.25% of</u>

	<u>excess over \$15,000</u>
<u>Over \$30,000.....</u>	<u>\$1,252.50 plus</u>
	<u>5.7% of excess</u>
	<u>over \$30,000</u>

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

~~(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2016 Supp. 79-32,269, and amendments thereto.~~

~~(f) Notwithstanding the provisions of subsections (a) and (b); (1) For tax-year-years 2016, and all tax years thereafter and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) Any taxpayer whose withholding or estimated tax payments were based upon the rates as provided in subsection (a) as it appears on June 30, 2017, shall not be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 4. K.S.A. 2016 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be

excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2016 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family

postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2016 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal

internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority,

commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2016 Supp. 74-50,201 et seq., and amendments

thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2016 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross

income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city

of Overland Park, pursuant to the city's home rule authority.

(xxiv) For ~~all~~ taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) Any taxpayer who is in compliance with the provisions of this section as they appear on June 30, 2017, shall not be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment occurred prior to July 1, 2017, and is rectified on or before April 17, 2018.

Sec. 5. K.S.A. 2016 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax years commencing on and after January 1, 2015, and ending before January 1, 2018, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(5) For the tax years commencing on and after January 1, 2018, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 100% of expenses for medical care allowable as deductions in section 213 of the federal

internal revenue code; (C) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

Sec. 6. K.S.A. 2016 Supp. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section.

(b) There shall be added to federal taxable income: (i) The same modifications as are set forth in ~~subsection (b) of~~ K.S.A. 79-32,117**(b)**, and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);;

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto; and

(vi) the federal net operating loss deduction.

(c) There shall be subtracted from federal taxable income: (i) The same modifications as are set forth in ~~subsection (e) of~~ K.S.A. 79-32,117**(c)**, and amendments thereto, with respect to resident individuals, except subsection (c)(xx);;

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued.

Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) of this section as existing for such year, bears to the federal taxable income for the same year;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code; and

(v) for all taxable years commencing after December 31, 1987, 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income.

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c) hereof. Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 to K.S.A. 79-3293, inclusive, and amendments thereto, plus any refund of federal income tax as determined under ~~paragraph (iv) of subsection (b) of~~ K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) ~~of K.S.A. 79-32,138, and amendments thereto,~~ and subtraction modifications as provided for in subsection (c)(iii) ~~of K.S.A. 79-32,138, and amendments thereto,~~ as those subsections existed prior to their amendment by this act, shall be required to be made for such taxable year.

Sec. 7. K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120, 79-32,138 and 79-32,269 are hereby repealed.;

Also on page 13, in line 34, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 and 3; in line 4, by striking all before the period and inserting: "taxation; relating to sales and compensating use tax, collection and distribution thereof, STAR bonds; income taxation, determination of Kansas adjusted gross income, modifications, rates and itemized deductions; amending K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269";

And your committee on conference recommends the adoption of this report.

STEVEN C. JOHNSON

TOM PHILLIPS

JIM WARD

Conferees on part of House

CARYN TYSON

DAN KERSCHEN

TOM HOLLAND

Conferees on part of Senate

The motion of Rep. Johnson to adopt the conference committee report on **SB 30** did not prevail. The bill was killed.

On roll call, the vote was: Yeas 53; Nays 68; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alford, Baker, Ballard, Becker, Brim, Campbell, Clark, Clayton, Concannon, Cox, Crum, S., Dierks, Dietrich, Elliott, Francis, Gallagher, Gartner, Hibbard, Hineman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Orr, Parker, Phelps, Phillips, Proehl, Ralph, Rooker, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, A., S. Swanson, Thompson, Wheeler, Wilson, Wolfe Moore.

Nays: Alcala, Amberger, Aurand, Averkamp, Barker, Bishop, Blex, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Corbet, Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dove, Ellis, Eplee, Esau, Finch, Finney, Frownfelter, Garber, Hawkins, Helgerson, Henderson, Highberger, Highland, Hodge, Hoffman, Houser, Humphries, Jacobs, K. Jones, Lakin, Landwehr, Mason, Miller, Ohaebosim, Osterman, Ousley, F. Patton, R. Powell, Rafie, Rahjes, Resman, Ruiz, Ryckman, Schwab, Smith, E., Sutton, Tarwater, Terrell, Thimesch, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Whipple, Whitmer, K. Williams, Winn.

Present but not voting: None.

Absent or not voting: Good, Huebert, Pittman, Stogsdill.

EXPLANATION OF VOTE

MR. SPEAKER: I will be voting No on **SB 30**. "Government does not tax to get the money it needs; government always finds a need for the money it gets." Ronald Reagan

One of the first duties of elected government is to ensure freedom, justice and security. This tax bill unjustly repeals any financial freedom and stability of vulnerable families. It is a form of theft that eliminates financial security for millions of hard working Kansans. Again, this is not equality or liberty. This is a mega-tax bill that does not in any way reward hard working citizens. But on the contrary it penalizes them. – TREVOR JACOBS, LES OSTERMAN, WILLIE DOVE, GREG LAKIN, RANDY POWELL, KEN CORBET, ERIC SMITH, KEVIN JONES, JOHN WHITMER, KEITH ESAU

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Finch moved that the House reconsider its adverse action in not adopting the conference

committee report on **SB 30**. The motion prevailed. The question reverted back to the motion of Rep. Johnson to adopt the committee report on **SB 30**.

Also, Rep. Finch offered a substitute motion to not adopt the conference committee report on **SB 30** and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Johnson, Phillips and Sawyer as second conferees on the part of the House.

REPORT ON ENGROSSED BILLS

HB 2102 reported correctly engrossed May 19, 2017.

HB 2128 reported correctly engrossed May 22, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6034 reported correctly enrolled and properly signed on May 22, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Tuesday, May 23, 2017.

Journal of the House

SEVENTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 23, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 119 members present.

Rep. Stogsdill was excused on verified illness.

Reps. Dove, Holscher, Koesten, Wilson and Winn were excused on excused absence by the Speaker.

Present later: Reps. Dove, Holscher and Koesten.

Excused later: Reps. Barker and DeGraaf.

Prayer by Chaplain Brubaker:

Omniscient God,
once again, we stand here,
thankful for the opportunity of another day
of which we have to serve and make a difference.
I am reminded of an old African proverb:
“indecision is like a child with dirty hands:
if he doesn’t wash his hands, he is called dirty;
if he does wash his hands, he is wasting water.”
It might seem at this point,
that whatever decisions are made,
in some form or fashion, it appears to not be the right one.
Your Word tells us that
“if any of you lacks wisdom, he should ask God,
who gives generously to all.”
So, today I ask for wisdom,
for a spirit of accord,
for a shared sense of responsibility,
and for open doors to a solution
that will serve the common good.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Phillips.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Taxation: **HB 2428**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 83**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER

RONALD L. HIGHLAND

LOUIS E. RUIZ

Conferees on part of House

BUD ESTES

ROB OLSON

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Barker the conference committee report on **SB 83** to agree to disagree, was adopted.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as second conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 201**, requests a conference and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **SB 30** and has appointed Senators Tyson, Kerschen and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2280** and has appointed Senators V. Schmidt, Billinger and Kelly as conferees on the part of the Senate.

Also, the Senate adopts the Conference Committee report to agree to disagree on **SB 83**, and has appointed Senators Estes, Olson and Faust-Goudeau as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **H Sub for SB 21**.

The Senate adopts the Conference Committee report on **H Sub for SB 60**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **SB 201**.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as conferees on the part of the House.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2277**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Williams, the House concurred in Senate amendments to **Sub HB 2277**, AN ACT concerning alcoholic liquor; creating common consumption areas designated by cities and counties; authorizing common consumption area permits; relating to club memberships; amending K.S.A. 2016 Supp. 41-719 and 41-2641 and repealing the existing sections.

On roll call, the vote was: Yeas 97; Nays 22; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Highberger, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lusk, Lusker, Markley, Mason, Miller, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Sutton, Tarwater, Terrell, Thimesch, Trimmer, Victors, Ward, Waymaster, Weber, C., Wheeler, Whipple, Whitmer, K. Williams, Wolfe Moore.

Nays: Baker, Blex, Carmichael, Ellis, Francis, Helgersson, Hibbard, Highland, Hodge, Jacobs, K. Jones, Lewis, Mastroni, Orr, Ruiz, Schroeder, Smith, A., Smith, E., S. Swanson, Thompson, Vickrey, Weigel.

Present but not voting: None.

Absent or not voting: Barker, Carlin, DeGraaf, Stogsdill, Wilson, Winn.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

On motion of Rep. Hineman, the House adjourned until 9:00 a.m., Wednesday, May 24, 2017.

Journal of the House

SEVENTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 24, 2017, 9:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Cox, Schwab, Wilson and Winn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God—
 who has created us all with our
 uniqueness and quirkiness, thank You for this new day.
 I pray for these members who are **All in the Family**,
 attempting to **Get Smart** and accomplish a **Mission Impossible**.
 We have gone way past the 90 days and being **Saved By the Bell**.
 It may be time to call in the **A-Team**
 as many are getting tired and feel like the **Walking Dead**.
 However, each one of these members have the will power to be a **Survivor**.
 Lord, help each one to not go **Six Feet Under**
 as they seem **Lost** as to what to do.
 Give them a **Big Bang Theory**
 so they can determine when **The Price is Right**.
 When that happens, there will be **Cheers** as we celebrate
Happy Days and **Good Times**.
 All humor aside, please guide our leaders
 in the right path.
 In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Baker.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Deere are spread upon the Journal:

Good morning. I want to take this opportunity today to recognize the young women standing behind me, and also the adults with them, who support their cause.

In March of this year, these young women founded the SUNFLOWER CHAPTER of the National Scoliosis Foundation. They are patients and supporters of Scoliosis

Awareness, and have set out on a mission to educate others about this disease and the importance of early detection.

Scoliosis is a disease that causes deformities of the spine. It is a nondiscriminatory disease, affecting people worldwide. An estimated 7 million Americans are affected by Scoliosis each year. 1 in 10 Kansans have this disease. It typically shows up in children, ages 10-15 years old, during their adolescent growth spurt. It equally affects boys and girls, but girls are 10 times more likely to experience spinal curve progression to a stage that requires treatment. Early detection allows them to receive the necessary treatment, such as preferred bracing, during their growing years. IF left undetected or untreated, it could result in surgery. Also, IF left undetected it could lead to a malfunction of the heart, lungs, limited mobility, back pain, and could eventually become career limiting: for example, military service.

Some of these brave girls have brought their braces with them today as a demonstration for what they have experienced through their journeys with Scoliosis. They have worn these braces up to 20 hours per day for years at a time. Some of them have titanium rods supporting their spines that you cannot see.

One of the young women here today, Leah Wieggers, made a presentation to our local USD 469 School Board last fall on the importance of early screening and detection of Scoliosis. Leah started this idea as her project to earn her Girl Scout Gold Award. She educated us on how Kansas schools used to conduct scoliosis screenings, but stopped offering this in 1996. Due to Leah's convincing presentation, our district made the decision to re-instate scoliosis screenings. We have been able to successfully accomplish this with very little expense or time involved. Currently 21 states have mandatory screening in schools for early detection. It is a goal of the Sunflower Chapter to expand this important screening in all schools throughout the state of Kansas. In honor of this group of inspirational young women, I am committed to pursuing this endeavor, and hope that at the appropriate time in the future, you will consider joining me in that effort.

At this time I would like to introduce my guests: Joe O'Brien, President of the National Scoliosis Foundation in Boston; Air Force Lt. Colonel Anita Mack, Fort Leavenworth Girl Scout mentor; Alyssa Rollando, Girl Scout mentor and University of Kansas Spine Lab Doctoral student; Dr. Nigel Price, Orthopedic surgeon at Children's Mercy Hospital and he also serves on multiple Scoliosis boards worldwide; and last, but not least, the brave young women who rise to the challenges of this disease every day: Greta Fullerton, Rae Holden, Jaci Huckabee, Elyse Redwine, Julianne Myers and Leah Wieggers.

Welcome to the Kansas House of Representatives and THANK YOU for the work that you do for Scoliosis Awareness!!

Rep. Deere presented her guests with a framed House certificate.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Rep. Ward to replace Rep. Sawyer as a member of the conference committee on **SB 30**.

On motion of Rep. Hineman, the House recessed until 1:00 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

On motion of Rep. Hineman, the House recessed until 1:30 p.m.

 AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2410**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that:

Committee report recommending a substitute bill to **HB 2410** be adopted; on motion of Rep. Campbell, **Sub HB 2410** be amended on page 2, in line 10, by striking "general state" and inserting "state foundation"; in line 15, by striking "general";

On page 9, in line 43, by striking "general state" and inserting "state foundation";

On page 10, in line 4, by striking "general";

On page 22, in line 2, by striking "(D)" and inserting "(C)"; in line 34, by striking "subsection (ii)(2)" and inserting "paragraph (2)";

And by redesignating subsections, paragraphs and clauses accordingly;

On page 41, in line 32, by striking "0.456" and inserting "0.484";

On page 43, in line 13, by striking "at-risk";

On page 68, in line 27, by striking "program"; in line 28, by striking the first "weighting" and inserting "bilingual weighting, career technical education weighting"

Also, on motion of Rep. Aurand, **Sub HB 2410** be amended on page 58, by striking all in lines 7 through 43;

On page 59, by striking all in lines 1 through 7;

On page 102, in line 13, by striking "92" and inserting "91";

On page 121, in line 23, by striking "92" and inserting "91";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "92" and inserting "91"

Also, on motion of Rep. Trimmer to amend **Sub HB 2410**, Rep. Campbell requested the amendment be divided. The amendment was divided.

On Part A, the motion to amend was not considered due to objection by Rep. Aurand

under House Rule 2109 regarding duplicate motions to amend.

On Part B, **Sub HB 2410** be amended on page 2, by striking all in line 19; On page 7, following line 35, by inserting:

"School district extraordinary declining enrollment fund..... \$2,593,452";

On page 10, by striking all in line 8;

On page 17, in line 9, by striking "49" and inserting "45, 99 and 100"; in line 16, after the first semicolon by inserting "cost-of-living weighting;"; in line 22, by striking "34" and inserting "30"; in line 34, by striking "27(a)" and inserting "23(a)";

On page 18, in line 6, by striking "26" and inserting "22"; following line 19, by inserting:

"(j) "Cost-of-living weighting" means an addend component assigned to the foundation enrollment of school districts pursuant to section 99, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.";

Also on page 18, in line 24, by striking "35" and inserting "31"; in line 28, by striking all after "enrolled"; in line 29, by striking all before "in"; in line 30, by striking all after "year"; by striking all in line 31;

Also on page 19, in line 32, by striking "25" and inserting "21"; in line 37, by striking "27(b)" and inserting "23(b)";

On page 20, in line 2, by striking "43" and inserting "39"; in line 30, by striking "43" and inserting "39";

On page 21, in line 8, by striking "32" and inserting "28"; in line 17, by striking "33" and inserting "29";

On page 23, in line 4, by striking "24" and inserting "20";

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

Also on page 23, in line 13, by striking "34 and"; in line 14, by striking "35" and inserting "30, 31 and 99";

On page 24, in line 22, by striking "41(a)" and inserting "37(a)";

On page 35, by striking all in lines 8 through 43;

By striking all on pages 36 and 37;

On page 38, by striking all in lines 1 through 37;

On page 102, in line 13, by striking "92" and inserting "87";

On page 121, following line 12, by inserting:

"New Sec. 99. (a) Subject to subsection (b), the board of education of a school district may levy a tax on the taxable tangible property within the school district for the

purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost-of-living weighting to the foundation enrollment of the school district.

(b) The state board shall determine whether a school district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under subsection (b)(1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) subtract the amount determined under subsection (b)(2) from the amount determined under subsection (b)(3). If the amount determined for the school district is a positive number and the school district has adopted a local enhancement budget in an amount equal to at least 5% of the total foundation aid for the school district, the school district qualifies for assignment of cost-of-living weighting and may levy a tax on the taxable tangible property of the school district for the purpose of financing the costs that are attributable directly to assignment of the cost-of-living weighting to the foundation enrollment of the school district.

(c) (1) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the school district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an ad valorem tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost-of-living weighting to the enrollment of the school district. The ad valorem tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

(2) All of the blanks in the resolution shall be filled appropriately. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the ad valorem tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision is in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast is not in favor of the resolution, the resolution shall be deemed of no force and effect and no like resolution shall be adopted by the board within the nine months following such election.

(d) There is hereby established in every school district a cost-of-living fund, which shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost-of-living fund. The proceeds from the tax levied by a school district credited to the cost-of-living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(e) In determining the amount produced by the tax levied by the school district under the authority of this section, the state board shall include any moneys apportioned to the cost-of-living fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(f) The cost-of-living weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the foundation enrollment of the school district as follows:

(1) Divide the amount determined under subsection (b)(4) by the amount determined under subsection (b)(2);

(2) multiply the quotient determined under subsection (f)(1) by 0.095;

(3) multiply the school district's total foundation aid for the current school year, excluding the amount determined under this provision, by the lesser of the product determined under subsection (f)(2) or 0.05; and

(4) divide the product determined under subsection (f)(3) by the BASE aid for the

current school year. The quotient is the cost-of-living weighting of the school district.

New Sec. 100. (a) Each school district may submit an application to the state board of education for approval of extraordinary declining enrollment state aid. Such application shall be submitted in such form and manner as prescribed by the state board, and shall include a description of the extraordinary decline in enrollment of the school district that is the basis for the application.

(b) The state board shall review all submitted applications and approve or deny any such application based on whether the applicant school district has demonstrated extraordinary declining enrollment since school year 2014-2015. As part of its review of an application, the state board may conduct a hearing and provide the applicant school district an opportunity to present testimony as to such school district's extraordinary declining enrollment. In reviewing the application, the state board shall consider the decrease in enrollment of the school district since school year 2014-2015.

(c) If the state board approves an application, it shall determine the amount of extraordinary declining enrollment state aid to be disbursed to the applicant school district from the school district extraordinary declining enrollment fund. In approving any application for extraordinary declining enrollment state aid, the state board may approve an amount of extraordinary declining enrollment state aid that is less than the amount the school district requested in the application. If the state board denies an application, then, within 15 days of such denial, the state board shall send written notice of such denial to the superintendent of such school district. All administrative proceedings pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any action by the state board pursuant to this section shall be subject to review in accordance with the Kansas judicial review act.

(d) There is hereby established in the state treasury the school district extraordinary declining enrollment fund, which shall be administered by the state department of education. All expenditures from the school district extraordinary declining enrollment fund shall be used for the disbursement of extraordinary declining enrollment state aid as approved by the state board under this section. All expenditures from the school district extraordinary declining enrollment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of education, or the designee of the state board of education.

(e) The provisions of this section shall expire on July 1, 2018.";

Also on page 121, in line 23, by striking "92" and inserting "87";

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "92" and inserting "87"

On Part C, **Sub HB 2410** be amended on page 29, in line 34, by striking "foundation" and inserting "option"; in line 38, by striking "foundation" and inserting "option";

On page 30, in line 6, by striking "foundation" and inserting "option"; in line 18, by

striking "foundation" and inserting "option"; in line 20, by striking "foundation" and inserting "option"; in line 26, by striking "foundation" and inserting "option"; in line 36, by striking "foundation" and inserting "option"; in line 39, by striking "foundation" and inserting "option";

On page 31, in line 4, by striking "foundation" and inserting "option"; in line 5, by striking "foundation" and inserting "option"; in line 8, by striking "foundation" and inserting "option"; in line 9, by striking "foundation" and inserting "option"; in line 10, by striking "foundation" and inserting "option"; in line 14, by striking "foundation" and inserting "option"; in line 19, by striking "foundation" and inserting "option"; in line 31, by striking "foundation" and inserting "option"; in line 34, by striking "foundation" and inserting "option";

On page 32, in line 1, by striking "foundation" and inserting "option"; in line 9, by striking "foundation" and inserting "option"; in line 14, by striking "foundation" and inserting "option"; in line 23, by striking "foundation" and inserting "option"; in line 28, by striking "foundation" and inserting "option"; in line 37, by striking the first "foundation" and inserting "option"; also in line 37, by striking the second "foundation" and inserting "option"; in line 39, by striking "foundation" and inserting "option"; in line 42, by striking the first "foundation" and inserting "option"; also in line 42, by striking the second "foundation" and inserting "option";

On page 33, in line 3, by striking "foundation" and inserting "option"; in line 10, by striking "foundation" and inserting "option"; in line 35, by striking "foundation" and inserting "option";

On page 34, in line 29, by striking "foundation" and inserting "option"; in line 31, by striking "foundation" and inserting "option"; in line 40, by striking the first "foundation" and inserting "option";

On page 44, in line 26, by striking "foundation" and inserting "option";

On page 47, in line 22, by striking "foundation" and inserting "option";

On page 48, in line 37, by striking "foundation" and inserting "option";

On page 49, in line 3, by striking "foundation" and inserting "option";

On page 79, in line 29, by striking "foundation" and inserting "option";

On Part D, the motion to amend **Sub HB 2410**, did not prevail.

On Part E, Sub HB 2410 be amended in line 28, by striking all after "enrolled"; in line 29, by striking all before "in"; in line 30, by striking all after "year"; by striking all in line 31; in line 32, by striking all before the comma;

On page 19, following line 9, by inserting:

"(3) For school year 2017-2018, the enrollment determined under paragraph (1) or (2), except students regularly enrolled in kindergarten and preschool-aged at-risk students regularly enrolled in the school district shall be counted based on enrollment in the current school year.";

Also, roll call was demanded on further motion of Rep. Trimmer to amend **Sub HB 2410**, on page 2, in line 9, by adding \$20,420,000 to the dollar amount and by adjusting the dollar amount in line 9 accordingly;

On page 9, in line 42, by adding \$119,249,000 to the dollar amount and by adjusting the dollar amount in line 42 accordingly;

On page 17, in line 40, by striking "\$4,006" and inserting "\$4,036"; in line 41, by

striking "\$4,128; and" and inserting "\$4,304;

(3) for school year 2019-2020, \$4,518; and";

Also on page 17, in line 42, by striking "2019-2020" and inserting "2020-2021";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

On roll call, the vote was: Yeas 47; Nays 75; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Crum, S., Curtis, Deere, Dierks, Finney, Frownfelter, Gallagher, Gartner, Good, Helgerson, Henderson, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Lusker, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Tarwater, Terrell, Thimesch, Trimmer, Victors, Ward, Weigel, Whipple, Wolfe Moore.

Nays: Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Schwab, Wilson, Winn.

The motion of Rep. Trimmer did not prevail.

Also, on motion of Rep. Highland to amend **Sub HB 2410**, the motion did not prevail.

Also, on motion of Rep. Jacobs to amend **Sub HB 2410**, Rep. Jennings requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Rep. Garber challenged the ruling, the question being "Shall the Rules Chair be sustained?"

The Rules Chair was sustained, and the amendment by Rep. Jacobs was ruled not germane.

Also, on motion of Rep. Sutton to amend **Sub HB 2410**, the motion did not prevail.

Also, on further motion of Rep. Sutton to amend **Sub HB 2410**, the motion did not prevail.

Also, on motion of Rep. Clark, **Sub HB 2410** be amended on page 19, following line 9, by inserting:

"(3) For any school district that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under subsection (l)(2); or
 (B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.";

On page 25, by striking all in lines 36 through 43;

On page 26, by striking all in lines 1 through 11; following line 11, by inserting:

"(1) Determine the number of students enrolled in each school district on September 20; and

(2) determine the number of military students enrolled in each school district on February 20, who were not enrolled on the preceding September 20.

(b) If the number obtained under subsection (a)(2) is 25 or more, or such number is at least 1% of the number determined under subsection (a)(1), an amount equal to the number obtained under subsection (a)(2) shall be added to the number determined under subsection (a)(1). The resulting sum is the enrollment of the school district."

Also, on motion of Rep. Stogsdill to amend **Sub HB 2410**, Rep. Hawkins requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Whitmer to amend **Sub HB 2410**, Rep. Ward requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, roll call was demanded on motion of Rep. Ousley to amend **Sub HB 2410 on page 102, by striking all in lines 12 through 43;**

By striking all on pages 103 through 105;

On page 106, by striking all in lines 1 through 22;

On page 121, following line 12, by inserting:

"New Sec. 102. The provisions of K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto, shall expire on June 30 of the same fiscal year in which no scholarships are reported as being provided under the program by any scholarship granting organization pursuant to K.S.A. 72-99a04(f), and amendments thereto. In any fiscal year in which no scholarships are reported as being provided, the state board shall certify the same and send such certification to the revisor of statutes.

Sec. 103. K.S.A. 2016 Supp. 72-99a03 is hereby amended to read as follows: 72-99a03. (a) There is hereby established the tax credit for low income students scholarship program. The program shall provide eligible students with an opportunity to attend schools of their parents' choice.

(b) Each scholarship granting organization shall issue a receipt, in a form prescribed by the secretary, to each contributing taxpayer indicating the value of the contribution received. Each taxpayer shall provide a copy of such receipt when claiming the tax credit established in K.S.A. 2016 Supp. 72-99a07, and amendments thereto.

(c) Prior to awarding an educational scholarship with respect to an eligible

student, unless such student is under the age of six years, the scholarship granting organization shall receive written verification from the state board that such student is an eligible student under this program, provided the state board and the board of education of the school district in which the eligible student was enrolled the previous school year have received written consent from such eligible student's parent authorizing the release of such information.

(d) Upon receipt of information in accordance with K.S.A. 2016 Supp. 72-99a04(a)(2), and amendments thereto, the state board shall inform the scholarship granting organization whether an educational scholarship has been awarded by another scholarship granting organization with respect to the eligible student.

(e) In each school year, no more than \$8,000 in educational scholarships may be awarded under this program with respect to an eligible student.

(f) On and after July 1, 2017, no scholarship shall be provided by any scholarship granting organization to any eligible student unless such eligible student received a scholarship under the program in the immediately preceding school year. The aggregate number of all eligible students who continue to receive scholarships under the program after July 1, 2017, shall not exceed 190.

(g) No contributions shall be accepted by any scholarship granting organization on or after July 1, 2017.

Sec. 104. K.S.A. 2016 Supp. 72-99a07 is hereby amended to read as follows: 72-99a07. (a) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years ~~commencing after December 31, 2014~~ 2015, 2016 and 2017, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.";

Also on page 121, in line 19, after the first comma by inserting "72-99a03, 72-99a07,"; by striking all in lines 22 and 23;

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking "72-99a02, as amended by section 92 of this act, 72-99a04" and inserting "72-99a03, 72-99a07".

On roll call, the vote was: Yeas 46; Nays 73; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Baker, Ballard, Becker, Bishop, Brim, Carmichael, Clark, Clayton, Concannon, Crum, S., Curtis, Deere, Dierks, Dietrich, Elliott, Gallagher, Gartner, Good, Henderson, Highberger, Hodge, Holscher, Judd-Jenkins, Karleskint, Kessinger, Koesten, Kuether, Lusk, Markley, Miller, Murman, Neighbor, Ousley, Parker, F. Patton, Rooker, Sloan, Stogsdill, Tarwater, Terrell, Trimmer, Victors, Ward, Weigel, Whipple.

Nays: Alford, Arnberger, Aurand, Awerkamp, Barker, Blex, Burroughs, Campbell, B. Carpenter, Claeys, Corbet, E. Davis, DeGraaf, Delperdang, Dove, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Garber, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, K. Jones, Kelly, Lakin, Landwehr, Lewis, Lusker, Mason, Mastroni, Ohaebosim, Orr, Osterman, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Carlin, Cox, Johnson, Schwab, Wilson, Winn.

The motion of Rep. Ousley did not prevail and **Sub HB 2410** be passed as amended.

MESSAGES FROM THE GOVERNOR

S Sub for HB 2053, HB 2054 approved on May 24, 2017

REPORT ON ENGROSSED BILLS

Sub HB 2277 reported correctly reengrossed May 23, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, May 25, 2017.

Journal of the House

SEVENTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, May 25, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 123 members present.

Reps. Henderson and Highland were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

God of mercy and compassion,
thank You for Your love which is new every morning.
Thank You for the steps forward that are being made
and I ask that You continue to lead our leaders
in the path of wise decisions.
I ask for Your mercy
upon the efforts of our leaders to follow You
in righteousness and humility.
I ask for Your mercy to help the with
self-denial, steadfastness and courage
to make the decisions they must.
Give them a pure heart that they may see You;
a humble heart that they may hear You;
a heart of love that they may serve You and others;
a heart of faith that they may live for You.
Thank You for the opportunity they have to serve.
Guide them in all their ways.
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Claeys.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Hibbard are spread upon the Journal.

Good morning body. At this time, I'd like to ask all of our veterans to please come and stand with me. With this being Memorial weekend, I felt it was appropriate that we take a little time this morning to recognize our veterans and honor our country.

“RAGGED OLD FLAG”

I walked through a county court house square
 On a park bench an old man was sitting there
 I said, “Your court house is kinda run down”
 He said “Naw, it’ll do for our little town”
 I said, “Your flag pole has leaned a little bit
 And that’s a Ragged Old Flag you got hanging on it”
 He said, “Have a seat” and I sat down
 “Is this the first time you’ve been in our little town?”

I said, “I think it is,” he said, “I don’t like to brag
 But we’re kinda proud of that Ragged Old Flag
 You see, we got a little hole in that flag there
 When Washington took it across the Delaware
 And it got powder burned the night Francis Scott Key
 Sat watchin’ it write “Say Can You See”

And it got a bad rip in New Orleans
 With Packinham and Jackson tuggin’ at its seams
 And it almost fell at the Alamo
 Beside the Texas flag but she waved on though
 She got cut with a sword at Chancellorsville
 And she got cut again at Shiloh Hill
 There was Robert E. Lee, Beauregard and Bragg
 And the south wind blew hard on that Ragged Old Flag
 On Flanders Field in World War I
 She got a big hole with a Bertha Gun
 She turned blood red in World War II
 She hung limp and low by the time it was through
 She was in Korea and Vietnam
 And later Iraq and Afghanistan.

She went where she was sent by her Uncle Sam
 Native Americans, brown, yellow, and white
 All shed red blood for the Stars and Stripes
 In her own good land here she’s been abused
 She’s been burned, dishonored, denied, and refused
 And I think it’s a crying shame
 When folks won’t stand for her at a football game.
 And the government for which she stands
 Has been scandalized throughout the land
 And she’s getting threadbare and wearing thin
 But she’s in good shape for the shape she’s in
 ‘Cause she’s been through the fire before
 And I believe she can take a whole lot more

So we raise her up every morning, take her down every night
 We don't let her touch the ground and fold her up tight
 On second thought I do like to brag
 'Cause I'm mighty proud of the Ragged Old Flag."

The small part that I played while serving, is nothing compared to some of the stories my colleagues could tell you. This time of year, we not only recognize those who served in our armed forces, but we remember the families and the uncertainties in their lives until "Johnny Came Marching Home." I've always wondered how my grandparents endured having three sons and a son-in-law scattered around the world during World War II. I asked my grandmother one time how she coped and she replied "I prayed a lot." I think of my legislative friend Ramon, who came to this country as a young boy, joined the Marines, and served in Vietnam, and upon his return to the United States was awarded his citizenship. Unfortunately, his contact with Agent Orange has made his life more complicated than it should be.

I remember hearing my father-in-law telling about being a flight engineer on a B-29 and going out on a mission called Super Dumbo. He knew it was a reconnaissance mission like no mission he had been on before and upon seeing the mushroom cloud, realized he had been a part of something very real. The mission took 20 hours and upon their return to the base, they found not only the troops but the rest of America well into their celebration.

We all have stories we could tell like this, but I would like to close by reciting the lyrics to a song made popular in the 1980's by Lee Greenwood of not only why I'm proud to be a veteran, a legislator, and most of all why I'm proud to be an American.

"GOD BLESS THE USA"

If tomorrow all the things were gone,
 I'd worked for all my life,
 And I had to start again,
 With my children and my wife.
 I'd thank my lucky stars,
 To be livin' here today.
 'Cause the flag still stands for freedom,
 And they can't take that away.
 And I'm proud to be an American,
 Where at least I know I'm free.
 And I won't forget the men who died,
 Who gave that right to me.
 And I gladly stand up,
 Next to you and defend her still today.
 'Cause there ain't no doubt I love this land,
 God bless the USA.
 From the lakes of Minnesota,
 To the hills of Tennessee.
 Across the plains of Texas,
 From sea to shining sea.
 From Detroit down to Houston,

And New York to L.A.
 Well there's pride in every American heart,
 And it's time we stand and say,
 That I'm proud to be an American,
 Where at least I know I'm free.
 And I won't forget the men who died,
 Who gave that right to me.
 And I gladly stand up,
 Next to you and defend her still today,
 'Cause there ain't no doubt I love this land,
 God bless the USA.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2410, AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act; amending K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by section 87 of this act, 72-99a04, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001 and 79-2925b and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482 and 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Arnberger, Aurand, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., E. Davis, Deere, Delperdang, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Gartner, Good, Hawkins, Hibbard, Hineman, Hoffman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusker, Markley, Mastroni, Murnan, Neighbor, Orr, F. Patton, Phelps, Phillips, Pittman, Proehl, Raffie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Waymaster, Weber, C., Weigel, Wheeler, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Awerkamp, Burroughs, Carmichael, B. Carpenter, Corbet, Curtis, DeGraaf, Dove, Esau, Finney, Frownfelter, Garber, Helgerson, Highberger, Hodge, Houser, Huebert, Humphries, Jacobs, K. Jones, Lusk, Mason, Miller, Ohaebosim, Osterman, Ousley, Parker, R. Powell, Ruiz, Sawyer, Stogsdill, Terrell, Vickrey, Victors, Ward, Whipple, Whitmer, Winn.

Present but not voting: None.

Absent or not voting: Henderson, Highland.

The substitute bill passed, as amended.

EXPLANATIONS OF VOTES

MR. SPEAKER: I vote “No” on Sub HB 2410 because through a full repeal of the 2012 tax “experiment” we could adequately fund our public schools, but this bill fails to suitably provide for the education of our children as required by the Kansas Constitution. I therefore vote “No” on **Sub HB 2410**. – JOHN CARMICHAEL

MR. SPEAKER: I vote NO on **Sub HB 2410**. I look forward to seeing all of you at the special session. – DENNIS “BOOG” HIGHBERGER

MR. SPEAKER: I am voting no on **Sub HB 2410** because I do not believe the funding is sufficient. The policy is good but funding is not even at 2009 levels. I believe this almost assures a special session and I do not think this is fair to taxpayers, schools, parents or students. Our students and teachers deserve schools that have adequate funding. And we have a responsibility to make that happen now. I do not think this bill achieves that. – PATSY TERRELL, NANCY LUSK

MR. SPEAKER: I have commented that funding promised over the two-year period in this bill is woefully inadequate. I stand by that statement. I vote yes on **Sub HB 2410** today because the formula portion of this bill, after amendments, is thought-out and I believe will be found constitutional. The weightings are good and will help public school students statewide. I do believe that the Supreme Court will bring us back to add money into the formula. When that happens, I will work with other pro-education legislators to get the adequate dollars. I want the formula enacted. I will continue to fight for our public schools and students. – STEVEN G. CRUM

MR. SPEAKER: The June 30 deadline looms large with many procedural steps remaining. I share concerns about the funding in this bill, but am more alarmed at the uncertainty we face without a constitutional funding formula. Absent an approved formula, the state will not be allowed to distribute even \$1 on July 1, 2017 placing summer programs immediately at-risk. I believe we have drafted a formula that will meet the constitutional test. Ultimately, none of us can discern what the Supreme Court will rule regarding adequacy but it is high time for both sides to have their day in court. I vote YES on **Sub HB 2410**. – MELISSA ROOKER, PATTY MARKLEY, TOM COX, JAN KESSINGER, LINDA GALLAGHER, SEAN TARWATER, SHELEE BRIM, SUSAN CONCANNON, BRAD RALPH

MR. SPEAKER: I vote yes on **Sub HB 2410**. I do so reluctantly. I acknowledge the positive policy changes made in the formula and that is why I am voting yes. I have concerns that the formula is not adequately funded to satisfy the Court's order, but I do believe **Sub HB 2410** is a step in the right direction. – ELIZABETH BISHOP, DEBBIE DEERE, MONICA MURNAN, ED TRIMMER, KATHY WOLFE MOORE, CINDY NEIGHBOR, ANNIE KUETHER VIRGIL WEIGEL, EBER PHELPS, JIM GARTNER, BARBARA BALLARD

MR. SPEAKER: I vote no on **Sub HB 2410**. The Kansas Supreme Court was very clear in the ruling on the Gannon case. The Court required two things: a fair finance formula, and adequate funding. The funding is woefully inadequate, and I fear we will be back for a special session to remedy this. I cannot vote for a bill that does not constitutionally fund our schools. – JARROD OUSLEY, JERRY W. STOGSDILL, PONKA-WE VICTORS, JOHN ALCALA, BRETT PARKER, PAM CURTIS, TIM HODGE, LOUIS RUIZ

MR. SPEAKER: I vote Aye. The Kansas Supreme Court has ordered us to reduce “the numbers of all students failing to reach proficiency in core subjects.” I helped design **Sub HB 2410** specifically to accomplish that goal. **Sub HB 2410** establishes at-risk weighting at its highest ever level, an amount calculated through extensive research by Legislative Post-Audit. It embraces studies on early childhood education by fully funding all-day kindergarten and increasing pre-K expenditures. **Sub HB 2410** guarantees all districts at least 10% funding for underperforming students. It adds millions of dollars annually to base funding and indexes future spending to address future needs for all kids, especially under-performing ones. – JIM KARLESKINT

MR. SPEAKER: **Sub HB 2410** targets funds to maximize student success under the *Rose* standards. It ends the use of at-risk dollars for general expenses, requiring such funds to be used for “at-risk educational programs approved by the state board.” **Sub HB 2410** empowers the state board, closely tying school finance to the Board's Kansas CAN student success effort. **Sub HB 2410** links the Board's accreditation, research on improving student outcomes and accounting of district expenditures to ensure that schools use these new dollars and Board-vetted best practices to promote real growth for under-performing students. I vote yes on **Sub HB 2410**. – FRED PATTON

MR. SPEAKER: I cast my vote in favor of **Sub HB 2410**, a bill that will repeal the previous unconstitutional system, and replace it with a stable formula. We did not complete the job today, but this is a good beginning. A beginning is a delicate time. Know then, that the legislature must continue to commit to funding education through strong support of a comprehensive taxation system. I hope that my colleagues will continue their commitment to funding schools in their future votes, and understand that this bill only gets us so far. – STEPHANIE CLAYTON, DIANA DIERKS, MARY MARTHA GOOD, JOY KOESTEN, BRENDA DIETRICH

MR. SPEAKER: The Kansas Supreme Court told us that “actual costs remain a valid factor” and that, unlike in *Montoy*, “funds from all available resources...should be considered.” This includes LOB money. I examined all funds and actual costs (as calculated by Legislative Post-Audit) in helping to design **Sub HB 2410**. Post Audit's 2006 actual cost study excluded LOB. Adjusting that cost study for inflation and including LOB, Post Audit confirmed (through a memorandum on which the committee relied) that **Sub HB 2410** exceeds the overall K-12 funding level recommended by its cost study. I trust Post-Audit's reasonable calculation of K-12 funding needs and vote aye on **Sub HB 2410**. – CLAY AURAND, BRENDA K. LANDWEHR, CHUCK WEBER

MR. SPEAKER: As chair of the K-12 Education Budget Committee, my focus has been to “reasonably calculate” K-12 funding to best help students meet or exceed the *Rose* standards. The committee's extended expert testimony showed me the wisdom of a “successful schools” funding approach. We identified overachieving districts (the ones who have most exceeded state board expectations of student achievement), provided their funding levels to all districts, and indexed this amount to inflation. **Sub HB 2410** took this amount, calculated by experts, and added hundreds of millions in additional K-12 funding. I vote aye because **Sub HB 2410** is reasonably calculated to promote student success. – LARRY CAMPBELL

MR. SPEAKER: While I like the policy pieces in this bill and commend the committee for their good work in writing the school finance formula, the funding is woefully inadequate. \$279 million over two years is far short of \$894 million, the minimum amount the State Board of Education says is needed. Since we passed the school finance formula in 1992, we have cut taxes 15 times, the most recent being the 2012 tax plan that cut income tax revenue \$1 billion annually. We have no excuse for not adequately funding schools. I vote no on **Sub HB 2410**. – TOM SAWYER

MR. SPEAKER: I vote yes on **Sub HB 2410**, which addresses the needs of Kansas school children in a constitutional manner. The bill provides significant additional funding, and while we may debate the amount, this much is certain: we must be willing to live up to our obligation and actually provide the funding we promise. We have yet to find the will to increase revenues to support higher funding levels. We cannot deceive the people with an illusion of future funding which is never delivered. The courts do not like deception, and the children of Kansas deserve better than broken promises. – DON HINEMAN, LEO DELPERDANG

MR. SPEAKER: I vote No on **Sub HB 2410**. While **Sub HB 2410** exceeds the requirements of our Constitution to make suitable provision for finance of Kansas' educational interests, it includes too many weightings – many of which are in conflict (like having both a high and low enrollment weighting) or cannot be predetermined for appropriations. **Sub HB 2410** doesn't make it clear that appropriations are only determined by the legislature and thus puts Kansas in the same cycle of being sued instead of requiring schools to make their petitions before the legislature. The legislature alone should determine adequate school funding and **Sub HB 2410** does not make that responsibility clear. – KEITH ESAU

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

On page 2, by striking all in lines 1 through 5; following line 5, by inserting:

"Section 1. K.S.A. 2016 Supp. 65-6709 is hereby amended to read as follows: 65-6709. No abortion shall be performed or induced without the voluntary and informed consent of the woman upon whom the abortion is to be performed or induced. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if:

(a) At least 24 hours before the abortion the physician who is to perform the abortion or the referring physician has informed the woman in writing, which shall be provided on white paper in a printed format in black ink with 12-point times new roman font, of:

(1) ~~The name of~~ following information concerning the physician who will perform the abortion;

(A) The name of such physician;

(B) the year in which such physician received a medical doctor's degree;
(C) the date on which such physician's employment commenced at the facility where the abortion is to be performed;

(D) whether any disciplinary action has been taken against such physician by the state board of healing arts by marking either a box indicating "yes" or a box indicating "no" and if the box indicating "yes" is marked, then provide the website addresses to the board documentation for each disciplinary action;

(E) whether such physician has malpractice insurance by marking either a box indicating "yes" or a box indicating "no";

(F) whether such physician has clinical privileges at any hospital located within 30 miles of the facility where the abortion is to be performed by marking either a box indicating "yes" or a box indicating "no" and if the box indicating "yes" is marked, then provide the name of each such hospital and the date such privileges were issued;

(G) the name of any hospital where such physician has lost clinical privileges; and

(H) whether such physician is a resident of this state by marking either a box indicating "yes" or a box indicating "no";

(2) a description of the proposed abortion method;

(3) a description of risks related to the proposed abortion method, including risk of premature birth in future pregnancies, risk of breast cancer and risks to the woman's reproductive health and alternatives to the abortion that a reasonable patient would consider material to the decision of whether or not to undergo the abortion;

(4) the probable gestational age of the unborn child at the time the abortion is to be performed and that Kansas law requires the following: "No person shall perform or induce an abortion when the unborn child is viable unless such person is a physician and has a documented referral from another physician not financially associated with the physician performing or inducing the abortion and both physicians determine that: (1) The abortion is necessary to preserve the life of the pregnant woman; or (2) a continuation of the pregnancy will cause a substantial and irreversible physical impairment of a major bodily function of the pregnant woman." If the child is born alive, the attending physician has the legal obligation to take all reasonable steps necessary to maintain the life and health of the child;

(5) the probable anatomical and physiological characteristics of the unborn child at the time the abortion is to be performed;

(6) the contact information for counseling assistance for medically challenging pregnancies, the contact information for perinatal hospice services and a listing of websites for national perinatal assistance, including information regarding which entities provide such services free of charge;

(7) the medical risks associated with carrying an unborn child to term; and

(8) any need for anti-Rh immune globulin therapy, if she is Rh negative, the likely consequences of refusing such therapy and the cost of the therapy.

(b) At least 24 hours before the abortion, the physician who is to perform the abortion, the referring physician or a qualified person has informed the woman in writing that:

(1) Medical assistance benefits may be available for prenatal care, childbirth and neonatal care, and that more detailed information on the availability of such assistance is contained in the printed materials given to her and described in K.S.A. 65-6710, and amendments thereto;

(2) the informational materials in K.S.A. 65-6710, and amendments thereto, are available in printed form and online, and describe the unborn child, list agencies which offer alternatives to abortion with a special section listing adoption services and list providers of free ultrasound services;

(3) the father of the unborn child is liable to assist in the support of her child, even in instances where he has offered to pay for the abortion except that in the case of rape this information may be omitted;

(4) the woman is free to withhold or withdraw her consent to the abortion at any time prior to invasion of the uterus without affecting her right to future care or treatment and without the loss of any state or federally-funded benefits to which she might otherwise be entitled;

(5) the abortion will terminate the life of a whole, separate, unique, living human being; and

(6) by no later than 20 weeks from fertilization, the unborn child has the physical structures necessary to experience pain. There is evidence that by 20 weeks from fertilization unborn children seek to evade certain stimuli in a manner that in an infant or an adult would be interpreted to be a response to pain. Anesthesia is routinely administered to unborn children who are 20 weeks from fertilization or older who undergo prenatal surgery.

(c) At least 30 minutes prior to the abortion procedure, prior to physical preparation for the abortion and prior to the administration of medication for the abortion, the woman shall meet privately with the physician who is to perform the abortion and such person's staff to ensure that she has an adequate opportunity to ask questions of and obtain information from the physician concerning the abortion.

(d) At least 24 hours before the abortion, the woman is given a copy of the informational materials described in K.S.A. 65-6710, and amendments thereto. If the woman asks questions concerning any of the information or materials, answers shall be provided to her in her own language.

(e) The woman certifies in writing on a form provided by the department, prior to the abortion, that the information required to be provided under subsections (a), (b) and (d) has been provided and that she has met with the physician who is to perform the abortion on an individual basis as provided under subsection (c). All physicians who perform abortions shall report the total number of certifications received monthly to the department. The total number of certifications shall be reported by the physician as part of the written report made by the physician to the secretary of health and environment under K.S.A. 65-445, and amendments thereto. The department shall make the number of certifications received available on an annual basis.

(f) Prior to the performance of the abortion, the physician who is to perform the abortion or the physician's agent receives a copy of the written certification prescribed by subsection (e) of this section.

(g) The woman is not required to pay any amount for the abortion procedure until the 24-hour waiting period has expired.

(h) A physician who will use ultrasound equipment preparatory to or in the performance of the abortion, at least 30 minutes prior to the performance of the abortion:

(1) Informs the woman that she has the right to view the ultrasound image of her unborn child, at no additional expense to her;

(2) informs the woman that she has the right to receive a physical picture of the ultrasound image, at no additional expense to her;

(3) offers the woman the opportunity to view the ultrasound image and receive a physical picture of the ultrasound image;

(4) certifies in writing that the woman was offered the opportunity to view the ultrasound image and receive a physical picture of the ultrasound image at least 30 minutes prior to the performance of the abortion; and

(5) obtains the woman's signed acceptance or rejection of the opportunity to view the ultrasound image and receive a physical picture of the ultrasound image.

If the woman accepts the offer and requests to view the ultrasound image, receive a physical picture of the ultrasound image or both, her request shall be granted by the physician at no additional expense to the woman. The physician's certification shall be time-stamped at the time the opportunity to view the ultrasound image and receive a physical picture of the ultrasound image was offered.

(i) A physician who will use heart monitor equipment preparatory to or in the performance of the abortion, at least 30 minutes prior to the performance of the abortion:

(1) Informs the woman that she has the right to listen to the heartbeat of her unborn child, at no additional expense to her;

(2) offers the woman the opportunity to listen to the heartbeat of her unborn child;

(3) certifies in writing that the woman was offered the opportunity to listen to the heartbeat of her unborn child at least 30 minutes prior to the performance of the abortion; and

(4) obtains the woman's signed acceptance or rejection of the opportunity to listen to the heartbeat of her unborn child.

If the woman accepts the offer and requests to listen to the heartbeat of her unborn child, her request shall be granted by the physician at no additional expense to the woman. The physician's certification shall be time-stamped at the time the opportunity to listen to the heartbeat of her unborn child was offered.

(j) The physician's certification required by subsections (h) and (i) together with the pregnant woman's signed acceptance or rejection of such offer shall be placed in the woman's medical file in the physician's office and kept for 10 years. However, in the case of a minor, the physician shall keep a copy of the certification and the signed acceptance or rejection in the minor's medical file for five years past the minor's majority, but in no event less than 10 years.

(k) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed shall conspicuously post a sign in a location so as to be clearly visible to patients. The sign required pursuant to this subsection shall be printed with lettering that is legible and shall be at least three quarters of an inch boldfaced type. The sign shall include the address for the pregnancy resources website published and maintained by the department of health and environment, and the following text:

Notice: It is against the law for anyone, regardless of their relationship to you, to force you to have an abortion. By law, we cannot perform an abortion on you unless we have your freely given and voluntary consent. It is against the law to perform an abortion on you against your will. You have the right to contact any local or state law enforcement agency to receive protection from any actual or threatened physical abuse

or violence. You have the right to change your mind at any time prior to the actual abortion and request that the abortion procedure cease. It is unlawful for anyone to make you have an abortion against your will, even if you are a minor. The father of your child must provide support for the child, even if he has offered to pay for an abortion. If you decide not to have an abortion, you may qualify for financial help for pregnancy, childbirth and newborn care. If you qualify, medicaid will pay or help pay the cost of doctor, clinic, hospital and other related medical expenses, including childbirth delivery services and care for your newborn baby. Many agencies are willing to provide assistance so that you may carry your child to term, and to assist you after your child's birth.

The provisions of this subsection shall not apply to any private office, freestanding surgical outpatient clinic or other facility or clinic which performs abortions only when necessary to prevent the death of the pregnant woman.

(l) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed that has a website shall publish an easily identifiable link on the homepage of such website that directly links to the department of health and environment's website that provides informed consent materials under the woman's-right-to-know act. Such link shall read: "The Kansas Department of Health and Environment maintains a website containing information about the development of the unborn child, as well as video of sonogram images of the unborn child at various stages of development. The Kansas Department of Health and Environment's website can be reached by clicking here."

(m) For purposes of this section:

(1) The term "human being" means an individual living member of the species of homo sapiens, including the unborn human being during the entire embryonic and fetal ages from fertilization to full gestation.

(2) The term "medically challenging pregnancy" means a pregnancy where the unborn child is diagnosed as having: (A) A severe anomaly; or (B) an illness, disease or defect which is invariably fatal.

New Sec. 2. If any of the provisions of article 67 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, are temporarily or permanently enjoined or otherwise restricted and not given their full force and effect by judicial order, all other provisions of article 67 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, not so enjoined or otherwise restricted shall be enforced as though such enjoined or otherwise restricted provisions had not been enacted, provided, that if any such temporary or permanent injunction or other judicial order is stayed, lifted, dissolved or otherwise ceases to have effect, then such provisions shall have full force and effect.";

Also on page 2, in line 6, by striking "55-1807" and inserting "2016 Supp. 65-6709"; in line 8, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the Kansas propane safety and licensing act" and inserting "abortion; relating to the woman's-right-to-know act; relating to certain physician information to be disclosed"; in line 2, by striking "55-1807" and inserting "2016 Supp. 65-6709";

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER
RONALD L. HIGHLAND
Conferees on part of House

BUD ESTES
ROB OLSON
Conferees on part of Senate

On motion of Rep. Humphries, the conference committee report on **SB 83** was adopted.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Becker, Blex, Brim, Campbell, B. Carpenter, Claeys, Clark, Concannon, Corbet, Cox, E. Davis, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Good, Hawkins, Hibbard, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Orr, Osterman, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Vickrey, Waymaster, Weber, C., Wheeler, Whitmer, K. Williams.

Nays: Ballard, Bishop, Burroughs, Carlin, Carmichael, Clayton, Curtis, Deere, Finney, Frownfelter, Gallagher, Gartner, Helgerson, Highberger, Holscher, Kessinger, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Rooker, Ruiz, Sawyer, Sloan, Stogsdill, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Crum, S., Henderson, Highland.

EXPLANATION OF VOTE

MR. SPEAKER: The vote today on **SB 83** is a political vote. It is a postcard vote. The most important issue is that it is likely unconstitutional based on past cases that have come before the Kansas Supreme Court. Kansas taxpayers have already spent more than \$1 million defending abortion laws. At a time when the Legislature is considering further cuts to core services and building a new plan for school funding, we should not be passing policies we know contain language that's already been struck down in court. We vote no on **SB 83**. – CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, SYDNEY CARLIN, ELIZABETH BISHOP, BRETT PARKER, JOHN CARMICHAEL, JOHN WILSON, MONICA MURNAN, JERRY W. STOGSDILL, DENNIS “BOOG” HIGHBERGER, BARBARA W. BALLARD

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 201** submits the following report:

The House recedes from all of its amendments to the bill.

And your committee on conference recommends the adoption of this report.

JOHN E. BARKER
RONALD L. HIGHLAND
LOUIS E. RUIZ

Conferees on part of House

BUD ESTES
ROB OLSON
OLETHA FAUST-GOUDEAU

Conferees on part of Senate

On motion of Rep. Barker, the conference committee report on **SB 201** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Henderson, Highland.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Karleskint, the House concurred in Senate amendments to **S Sub for HB 2132**, AN ACT concerning port authorities; relating to the sale of property; amending K.S.A. 2016 Supp. 12-3412 and repealing the existing section.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Aurand, Averkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr,

Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: B. Carpenter, Jacobs, K. Jones, Whitmer.

Present but not voting: None.

Absent or not voting: Henderson, Highland, R. Powell.

REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

Request No. 102, by Representative Deere, commending a group of dedicated young women from Lansing and Leavenworth KS on the March 2017 founding of “Sunflower Chapter” of the National Scoliosis Foundation;

Request No. 103, by Representative Good, congratulating Doug Chance, Butler Grizzlies Softball Head Coach for being Back-2-Back National Champions;

Request No. 104, by Representative Williams, congratulating Jake Becker, Augusta High School, for being 4A KSHSAA Golf State Champion;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

Upon unanimous consent, the House referred back to the order of business, Introduction of Bills and Concurrent Resolutions.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5015**, by Representatives Ryckman, Hineman and Ward, as follows, was introduced and adopted.

HCR 5015 – A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period during the 2017 regular session of the legislature.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on May 25, 2017, and shall reconvene on May 30, 2017, pursuant to adjournment of the daily session convened on May 25, 2017; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day during this period of adjournment; and

Be it further resolved: That members of the legislature attending a legislative meeting

of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during this period of adjournment shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5015**.

Announcing passage of **Sub HB 2230**, as amended.

REPORT ON ENGROSSED BILLS

Sub HB 2410 reported correctly engrossed May 24, 2017.

On motion of Rep. Hineman, in accordance with **HCR 5015**, the House adjourned until 10:00 a.m., Tuesday, May 30, 2017.

Journal of the House

SEVENTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, May 30, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 118 members present.

Reps. Aurand, Claeyes, Deere, Helgerson, Jacobs, Pittman and Whitmer were excused on excused absence by the Speaker.

Present later: Rep. Aurand, Claeyes, Deere and Helgerson.

Prayer by Chaplain Brubaker:

Almighty God,
thank You for the long weekend
as a time for rest, relaxation and renewal.
We do continue in the spirit of Memorial Day,
remembering those who serve our country
and especially those who have given their lives for our country.
Today as the leaders continue to work on
the issues of taxation and budget,
I would ask that You would speak to them.
Throughout the ages You have revealed yourself to humankind.
Whether through a burning bush, a pillar of fire by night,
a cloud by day, a dream or vision,
a soft whisper, through a descending dove
or through an audible voice—
when You spoke they knew it was You and listened.
We know that You still speak today.
Help us to learn how to listen
as You whisper words of wisdom, guidance and discernment.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Barker.

MESSAGES FROM THE GOVERNOR

HB 2041 approved on May 26, 2017.

On motion of Rep. Hineman, the House recessed until 3:00 p.m.

 AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **H Sub for SB 42**.

The Senate adopts the Conference Committee report on **SB 83**.

The Senate adopts the Conference Committee report on **SB 201**.

The Senate adopts the Conference Committee report on **HB 2092**.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Rep. Sawyer to replace Rep. Ward as a member of the conference committee on **SB 30**.

On motion of Rep. Hineman, the House recessed until 6:00 p.m.

 EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2429, AN ACT concerning the Kansas cigarette and tobacco products act; relating to distribution of tax revenues, children's initiatives fund; amending K.S.A. 2016 Supp. 79-3387 and repealing the existing section, by Committee on Appropriations.

HB 2430, AN ACT concerning the Kansas development finance authority; authorizing the sale of certain state tobacco settlement receipts; creating the great plains tobacco settlement financing corporation; authorizing the issuance of bonds payable from tobacco asset payments; amending K.S.A. 74-8909 and 74-8910 and K.S.A. 2016 Supp. 74-8904 and 74-8905 and repealing the existing sections, by Committee on Appropriations.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **Sub HB 2230**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Johnson, the House nonconcurrent in Senate amendments to **Sub HB 2230** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Johnson, Phillips and Sawyer as conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 10:00 p.m.

NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman to suspend Joint Rule 3(f) on the conference committee report to **HB 2067**, Rep. Miller offered a substitute motion to adjourn until May 31, 2017 at 9:00 a.m. The substitute motion failed. The question reverted back to the original motion of Rep. Hineman, which prevailed.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2067**.

On motion of Rep. Hineman, the House recessed until 11:40 p.m.

LATE NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2067** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 through 22; following line 22, by inserting:

"Section 1. K.S.A. 2016 Supp. 12-17,165 is hereby amended to read as follows: 12-17,165. (a) When a city or county proposes to establish a STAR bond project district, within an eligible area, the city or county shall adopt a resolution stating that the city or county is considering the establishment of a STAR bond project district. Such resolution shall:

- (1) Give notice that a public hearing will be held to consider the establishment of a STAR bond project district and fix the date, hour and place of such public hearing;
- (2) describe the proposed boundaries of the STAR bond project district;
- (3) describe the STAR bond project district plan;
- (4) state that a description and map of the proposed STAR bond project district are available for inspection at a time and place designated; and
- (5) state that the governing body will consider findings necessary for the establishment of a STAR bond project district.

Notice shall be given as prescribed in ~~subsection (f)(2)~~ of K.S.A. 2016 Supp. 12-17,166(f)(2), and amendments thereto.

(b) The city or county shall submit the proposed STAR bond project district to the secretary for a determination that the district is an eligible area as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto.

(c) Upon the conclusion of the public hearing, and a finding by the secretary that the proposed project district is an eligible area, the governing body of the municipality shall pass an ordinance or resolution.

(1) An ordinance or resolution for a STAR bond project district shall:

(A) Make findings that the STAR bond project district proposed to be developed is an historic theater, or a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto;

(B) contain a STAR bond project district plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each STAR bond project area. The boundaries of such STAR bond project district shall not include any area not designated in the notice required by subsection (a); and

(C) contain the legal description of the STAR bond project district and may establish the STAR bond project district.

(2) If no ordinance or resolution is passed by the city or county within 30 days from the conclusion of the public hearing, then such STAR bond project district shall not be established.

(d) The governing body of a city or county may establish a STAR bond project district within that city or such city may establish a district inclusive of land outside the boundaries of the city or wholly outside the boundaries of such city upon written consent of the board of county commissioners. Prior to providing written consent, the board of county commissioners must provide notice and hold a hearing as is required of a city pursuant to subsection (a) for the establishment of a STAR bond project district.

The governing body of a county may establish a STAR bond project district within the unincorporated area of the county.

(e) One or more STAR bond projects may be undertaken by a city or county within a STAR bond project district after such STAR bond project district has been established in the manner provided by this section.

(f) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the provisions of K.S.A. 2016 Supp. 12-17,160 et seq., and amendments thereto, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the hearing for the establishment of the STAR bond project district required by subsection (a) that the proposed STAR bond project district will have an adverse effect on such county or school district. The board of county commissioners or board of education shall deliver a copy of such resolution to the city or county. The city or county shall within 30 days of receipt of such resolution pass an ordinance or resolution dissolving the STAR bond project district. The provisions of this subsection shall not apply if the STAR bond project plan provides that ad valorem property tax revenues of the county or the school district levying taxes on such property will not be adversely impacted.

(g) A STAR bond project shall not include a project for a gambling casino.

(h) No new STAR bond project district may be established from the effective date of this act through July 1, 2018, except that, for STAR bond project districts established prior to the effective date of this act, the foregoing shall not prohibit a city or county from utilizing all provisions of the STAR bonds financing act, including, but not limited to, K.S.A. 2016 Supp. 12-17,171, and amendments thereto.

Sec. 2. K.S.A. 2016 Supp. 12-17,179 is hereby amended to read as follows: 12-17,179. (a) A city that created a redevelopment district in an eligible area that was approved for STAR bonds prior to the effective date of this act for the city of Manhattan Discovery Center on December 28, 2006, and the Schlitterbahn project in Wyandotte county on December 23, 2005, may by ordinance elect to have the provisions of this act applicable to such redevelopment district.

(b) The provisions of this act regarding STAR bond projects shall expire on and after July 1, ~~2017~~ 2020.

Sec. 3. K.S.A. 2016 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess over \$60,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015; and 2016 ~~and 2017~~:

If the taxable income is:	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over \$30,000

(E) For tax year ~~2018~~, and all tax years thereafter 2017:

If the taxable income is: The tax is:

Not over \$30,000.....	2.6% 2.9% of Kansas taxable income
Over \$30,000 <u>but not over \$60,000</u>	\$780 \$870 plus 4.6% 4.9% of excess over \$30,000
Over \$60,000.....	\$2,340 plus 5.2% of <u>excess over \$60,000</u>

(F) For tax year 2018, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$30,000.....</u>	<u>3.1% of Kansas taxable income</u>
<u>Over \$30,000 but not over \$60,000.....</u>	<u>\$930 plus 5.25% of excess over \$30,000</u>
<u>Over \$60,000.....</u>	<u>\$2,505 plus 5.7% of excess over \$60,000</u>

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015; and 2016 and 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over \$15,000

(E) For tax year ~~2018, and all tax years thereafter~~ 2017:

If the taxable income is:	The tax is:
Not over \$15,000.....	2.6% 2.9% of Kansas

Over \$15,000 <u>but not over \$30,000</u>	taxable income \$390 \$435 plus— 4.6% 4.9% of excess over \$15,000
<u>Over \$30,000</u>	<u>\$1,170 plus 5.2% of excess over \$30,000</u>

(F) For tax year 2018, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000</u>	<u>3.1% of Kansas taxable income</u>
<u>Over \$15,000 but not over \$30,000</u>	<u>\$465 plus 5.25% of excess over \$15,000</u>
<u>Over \$30,000</u>	<u>\$1,252.50 plus 5.7% of excess over \$30,000</u>

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

~~(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2016 Supp. 79-32,269, and amendments thereto.~~

~~(f) Notwithstanding the provisions of subsections (a) and (b); (1) For tax-year years 2016, and all tax years thereafter and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

(f) Any taxpayer whose withholding or estimated tax payments were based upon the rates as provided in subsection (a) as it appears on June 30, 2017, shall not be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 4. K.S.A. 2016 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2016 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2016 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who

earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal

tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2016 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2016 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts

received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses,

regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For ~~all~~ taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) Any taxpayer who is in compliance with the provisions of this section as they appear on June 30, 2017, shall not be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment occurred prior to July 1, 2017, and is rectified on or before April 17, 2018.

Sec. 5. K.S.A. 2016 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax years commencing on and after January 1, 2015, and ending before January 1, 2018, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal

revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(5) For the tax years commencing on and after January 1, 2018, and ending before January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 100% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(6) For the tax years commencing on and after January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 100% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 100% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 100% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

Sec. 6. K.S.A. 2016 Supp. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section.

(b) There shall be added to federal taxable income: (i) The same modifications as are set forth in ~~subsection (b) of~~ K.S.A. 79-32,117(b), and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto; and

(vi) the federal net operating loss deduction.

(c) There shall be subtracted from federal taxable income: (i) The same modifications as are set forth in ~~subsection (e) of~~ K.S.A. 79-32,117(c), and amendments thereto, with respect to resident individuals, except subsection (c)(xx);

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued. Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) of this section as existing for such year, bears to the federal taxable income for the same year;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code; and

(v) for all taxable years commencing after December 31, 1987, 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income.

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c) hereof. Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 to K.S.A. 79-3293, inclusive, and amendments thereto, plus any refund of federal income tax as determined under ~~paragraph (iv) of subsection (b) of~~ K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) of K.S.A. 79-32,138, and amendments thereto, and subtraction modifications as provided for in subsection (c)(iii) of K.S.A. 79-32,138, and amendments thereto, as those subsections existed prior to their amendment by this act, shall be required to be made for such taxable year.

Sec. 7. K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120, 79-32,138 and 79-32,269 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting: "taxation; relating to sales and compensating use tax, collection and distribution thereof, STAR bonds; income taxation, determination of Kansas adjusted gross income, modifications, rates and itemized deductions; amending K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269";

And your committee on conference recommends the adoption of this report.

CARYN TYSON

DAN KERSCHEN

TOM HOLLAND

Conferees on part of Senate

STEVEN C. JOHNSON

TOM PHILLIPS

TOM SAWYER

Conferees on part of House

The motion of Rep. Johnson to adopt the conference committee report on **HB 2067** did not prevail. The bill was killed.

Call of the House was demanded.

On roll call, the vote was: Yeas 37; Nays 85; Present but not voting: 0; Absent or not voting: 3.

Yeas: Ballard, Becker, Brim, Campbell, Clayton, Concannon, Cox, Crum, S., Francis, Gallagher, Gartner, Good, Highberger, Holscher, Johnson, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lusk, Lusker, Markley, Murnan, Neighbor, Parker, Phelps, Phillips, Proehl, Rooker, Sawyer, Schreiber, Sloan, S. Swanson, Thompson, Wilson, Wolfe Moore.

Nays: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Barker, Bishop, Blex, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Corbet, Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Frownfelter, Garber, Hawkins, Helgerson, Henderson, Hibbard, Highland, Hineman, Hodge, Hoffman, Houser, Huebert, Humphries, Jennings, K. Jones, Judd-Jenkins, Lakin, Landwehr, Lewis, Mason, Mastroni, Miller, Ohaebosim, Orr, Osterman, Ousley, F. Patton, R. Powell, Rafie, Rahjes, Ralph, Resman, Ruiz, Ryckman, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, Tarwater, Terrell, Thimesch, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K.

Williams, Winn.

Present but not voting: None.

Absent or not voting: Jacobs, Pittman, Whitmer.

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Waymaster moved that the House reconsider its adverse action in not adopting the conference committee report on **HB 2067**. The motion prevailed. The question reverted back to the motion of Rep. Johnson to adopt the conference committee report on **HB 2067**.

Also, Rep. Waymaster offered a substitute motion to not adopt the conference committee report on **HB 2067** and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Johnson, Phillips and Sawyer as third conferees on the part of the House.

REPORT ON ENROLLED BILLS

HB 2102, HB 2128 reported correctly enrolled, properly signed and presented to the Governor on May 26, 2017.

Sub HB 2277 reported correctly enrolled, properly signed and presented to the Governor on May 30, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Wednesday, May 31, 2017.

Journal of the House

SEVENTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, May 31, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 124 members present.

Rep. Jacobs was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Lord God,
We come before you today,
perhaps a bit weary but still grateful for another day.
Strength will wise as we wait upon You,
so we wait and ask that you please bring strength to our leaders
physically, emotionally, intellectually and relationally.
As they continue their discussions,
help them to be strong and take heart and wait for You.
Remind them often that the fruit of righteousness will be peace;
the effect of righteousness will be quietness and confidence forever.
And Lord, may they be encouraged to think often throughout the day that
“Those who hope in the Lord
will renew their strength.
They will soar on wings like eagles;
they will run and not grow weary,
they will walk and not be faint.”
I ask this in Your Son’s Name,
Amen.
(Isaiah 40:31)

The Pledge of Allegiance was led by Rep. Dierks.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2429**, **HB 2430**.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Ballard, **HR 6035**, by Reps. Ballard, Highberger, Sloan and Wilson, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6035**—

by Representatives Ballard, Highberger, Sloan and Wilson

HR 6035—A RESOLUTION recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the state of Kansas.

A RESOLUTION recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the State of Kansas.

WHEREAS, The University of Kansas was founded in 1865 as the state university for the State of Kansas and is now recognized as one of the nation's top public institutions; and

WHEREAS, In 2009, Bernadette Gray-Little became the 17th chancellor of the University of Kansas; and

WHEREAS, After a remarkable eight-year term in which she guided KU to unprecedented success, elevated the university's national stature, and transformed how the university serves the state, the country, and the world, Chancellor Gray-Little will be stepping down this summer of 2017; and

WHEREAS, KU's mission is to lift students and society by educating leaders, building healthy communities, and making discoveries that change the world; and

WHEREAS, Chancellor Gray-Little advanced KU's mission to educate leaders by implementing new admissions standards, launching a new undergraduate curriculum, strengthening the university's scholarship offerings, prioritizing retention and graduation rates, increasing the size of the freshman class for five consecutive years, and reinvigorating the university's academic environment; and

WHEREAS, Chancellor Gray-Little has advanced KU's mission to build healthy communities by expanding the School of Medicine to a four-year program in Wichita, establishing a new School of Medicine program in Salina, doubling the number of students studying to be pharmacists with the expansion of the School of Pharmacy in Lawrence and the new division in Wichita, and by overseeing the University of Kansas Cancer Center's successful application for National Cancer Institute Designation; and

WHEREAS, Chancellor Gray-Little has advanced KU's mission to make discoveries by securing funding for the Foundation Distinguished Faculty Initiative, along with overseeing multiple all-time high annual awards of federal funding to KU for research; and

WHEREAS, Chancellor Gray-Little has demonstrated courage, compassion and foresight by leading university conversations on sexual assault, diversity and inclusion, campus safety, sustainability, and the living and working environment on campus; and

WHEREAS, Chancellor Gray-Little has overseen KU's efforts to invigorate the Kansas economy by creating new jobs, launching startup companies, fostering corporate partnerships, licensing new technologies, developing an engineering initiative to increase the number of engineering graduates, and cultivating an entrepreneurial mindset among faculty, staff and students; and

WHEREAS, Chancellor Gray-Little has led a physical transformation of KU's

campuses by securing support for Capitol Federal Hall, the Health Education Building, Self and Oswald Halls, the Central District Redevelopment Project, the DeBruce Center, and the Earth, Energy and Environment Center, as well as major renovations to Swarthout Recital Hall, the Spencer Museum of Art, and Jayhawk Boulevard; and

WHEREAS, Chancellor Gray-Little was instrumental to KU's record-setting Far Above campaign, which raised \$1.66 billion in private gifts to support scholarships, faculty research and other key initiatives; and

WHEREAS, While her term as chancellor would be considered historic based on her successes and achievements alone, Chancellor Gray-Little will also be remembered as the first woman and first African-American chancellor in KU's history; and

WHEREAS, In addition to her remarkable technical skills, Chancellor Gray-Little has led with dignity, grace and humility and, as such, has served as a role model and inspiration to students, staff, faculty and colleagues throughout the state: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we commend Chancellor Bernadette Gray-Little's transformative leadership at the University of Kansas during the past eight years, thank her for her dedicated service to the University of Kansas, the State of Kansas and the entire field of higher education, and wish her, her husband, Shade Little, and their family happiness and health in the future; and

Be it further resolved: That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Ballard.

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

Chancellor Gray-Little:

It is our honor to welcome you to the Kansas House of Representatives today. We are pleased to recognize you for eight (8) years of outstanding service to the University of Kansas, the faculty, staff and students, as well as the community and the State of Kansas. You have made a positive difference at the University of Kansas.

Chancellor Gray-Little focused on recruiting throughout Kansas, the region and the nation, four year renewable scholarships, and quick admissions decisions. Many alumni report that "The change has been like night and day. Because of Bernadette's leadership, the Jayhawks are united in our determination to pursue the most promising students throughout Kansas and beyond."

Chancellor Gray-Little closed the ceremony with a farewell address to graduating seniors. She urged the Class of 2017 to "run toward the chaos. Run toward the situation where you can make a difference. Use the knowledge and the sense of civic responsibility you've developed at KU to improve those situations, help people and make this world a better place."

After leading KU since 2009, Chancellor Gray-Little is stepping down as Chancellor this summer. At graduation on May 14, 2017, Gray-Little offered an unusual public glimpse into her own college story.

"Like you, I, too, will soon be making a change as I step down as chancellor this summer, and like many of you, I'm feeling a combination of excitement and pride and happiness and sadness. You see, higher education changed my life."

Gray-Little remains focused on her public role until June 30. She will remain

available in Lawrence to advise her successor if needed, for the next academic year. However, it is important that the new chancellor knows this is his territory.

Chancellor Gray-Little possesses intelligence, patience, poise, grace and dignity. She clearly articulated her vision and her sincerity resonated with people. The University of Kansas will miss you. We will miss you.

The Chancellor and her husband, Shade Little, have three grandchildren, and eventually may return to their home state of North Carolina.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **Sub HB 2230** and has appointed Senators Tyson, Kerschen and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2067** and has appointed Senators Tyson, Kerschen and Holland as conferees on the part of the Senate.

Announcing passage of **HB 2186**, as amended by **S Sub for HB 2186**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2092**, **HB 2313**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2092** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 14, following line 42, by inserting:

"Section 1. K.S.A. 2016 Supp. 21-6620 is hereby amended to read as follows: 21-6620. (a) (1) Except as provided in subsection (a)(2) and K.S.A. 2016 Supp. 21-6618 and 21-6622, and amendments thereto, if a defendant is convicted of the crime of capital murder and a sentence of death is not imposed pursuant to ~~subsection (c) of~~ K.S.A. 2016 Supp. 21-6617(e), and amendments thereto, or requested pursuant to ~~subsection (a) or (b) of~~ K.S.A. 2016 Supp. 21-6617(a) or (b), and amendments thereto, the defendant shall be sentenced to life without the possibility of parole.

(2) (A) Except as provided in subsection (a)(2)(B), a defendant convicted of attempt to commit the crime of capital murder shall be sentenced to imprisonment for life and shall not be eligible for probation or suspension, modification or reduction of

sentence. In addition, the defendant shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(B) The provisions of subsection (a)(2)(A) requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the defendant, because of the defendant's criminal history classification, is would be subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds would exceed 300 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range. The defendant shall not be eligible for parole prior to serving such mandatory minimum term of imprisonment, and such mandatory minimum term of imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(b) The provisions of this subsection shall apply only to the crime of murder in the first degree as described in ~~subsection (a)(2)~~ of K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014.

(1) Except as provided in subsection (b)(2), a defendant convicted of murder in the first degree as described in ~~subsection (a)(2)~~ of K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, shall be sentenced to imprisonment for life and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, the defendant shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(2) The provisions of subsection (b)(1) requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the defendant, because of the defendant's criminal history classification, is would be subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range exceeds would exceed 300 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range. The defendant shall not be eligible for parole prior to serving such mandatory minimum term of imprisonment, and such mandatory minimum term of imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(c) The provisions of this subsection shall apply only to the crime of murder in the first degree based upon the finding of premeditated murder committed on or after July 1, 2014.

(1) (A) Except as provided in subsection (c)(1)(B), a defendant convicted of murder in the first degree based upon the finding of premeditated murder shall be sentenced pursuant to K.S.A. 2016 Supp. 21-6623, and amendments thereto, unless the sentencing judge finds substantial and compelling reasons, following a review of mitigating circumstances, to impose the sentence specified in subsection (c)(2).

(B) The provisions of subsection (c)(1)(A) requiring the court to impose the mandatory minimum term of imprisonment required by K.S.A. 2016 Supp. 21-6623, and amendments thereto, shall not apply if the court finds the defendant, because of the defendant's criminal history classification, is would be subject to presumptive

imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range ~~exceeds would exceed~~ 600 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range. The defendant shall not be eligible for parole prior to serving such mandatory minimum term of imprisonment, and such mandatory minimum term of imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(2) (A) If the sentencing judge does not impose the mandatory minimum term of imprisonment required by K.S.A. 2016 Supp. 21-6623, and amendments thereto, the judge shall state on the record at the time of sentencing the substantial and compelling reasons therefor, and, except as provided in subsection (c)(2)(B), the defendant shall be sentenced to imprisonment for life and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, the defendant shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(B) The provisions of subsection (c)(2)(A) requiring the court to impose a mandatory minimum term of imprisonment of 25 years shall not apply if the court finds the defendant, because of the defendant's criminal history classification, ~~is would be~~ subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range ~~exceeds would exceed~~ 300 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range. The defendant shall not be eligible for parole prior to serving such mandatory minimum term of imprisonment, and such mandatory minimum term of imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(d) The provisions of this subsection shall apply only to the crime of murder in the first degree based upon the finding of premeditated murder committed on or after September 6, 2013, but prior to July 1, 2014.

(1) If a defendant is convicted of murder in the first degree based upon the finding of premeditated murder, upon reasonable notice by the prosecuting attorney, the court shall determine, in accordance with this subsection, whether the defendant shall be required to serve a mandatory minimum term of imprisonment of 50 years or sentenced as otherwise provided by law.

(2) The court shall conduct a separate proceeding following the determination of the defendant's guilt for the jury to determine whether one or more aggravating circumstances exist. Such proceeding shall be conducted by the court before a jury as soon as practicable. If any person who served on the trial jury is unable to serve on the jury for the proceeding, the court shall substitute an alternate juror who has been impaneled for the trial jury. If there are insufficient alternate jurors to replace trial jurors who are unable to serve at the proceeding, the court may conduct such proceeding before a jury which may have 12 or less jurors, but at no time less than six jurors. If the jury has been discharged prior to the proceeding, a new jury shall be impaneled. Any decision of the jury regarding the existence of an aggravating circumstance shall be beyond a reasonable doubt. Jury selection procedures, qualifications of jurors and

grounds for exemption or challenge of prospective jurors in criminal trials shall be applicable to the selection of such jury. The jury at the proceeding may be waived in the manner provided by K.S.A. 22-3403, and amendments thereto, for waiver of a trial jury. If the jury at the proceeding has been waived, such proceeding shall be conducted by the court.

(3) In the proceeding, evidence may be presented concerning any matter relating to any of the aggravating circumstances enumerated in K.S.A. 2016 Supp. 21-6624, and amendments thereto. Only such evidence of aggravating circumstances as the prosecuting attorney has made known to the defendant prior to the proceeding shall be admissible and no evidence secured in violation of the constitution of the United States or of the state of Kansas shall be admissible. No testimony by the defendant at the time of the proceeding shall be admissible against the defendant at any subsequent criminal proceeding. At the conclusion of the evidentiary presentation, the court shall allow the parties a reasonable period of time in which to present oral argument.

(4) At the conclusion of the evidentiary portion of the proceeding, the court shall provide oral and written instructions to the jury to guide its deliberations. If the prosecuting attorney relies on ~~subsection (a)~~ of K.S.A. 2016 Supp. 21-6624(a), and amendments thereto, as an aggravating circumstance, and the court finds that one or more of the defendant's prior convictions satisfy such subsection, the jury shall be instructed that a certified journal entry of a prior conviction is presumed to prove the existence of such prior conviction or convictions beyond a reasonable doubt.

(5) If, by unanimous vote, the jury finds beyond a reasonable doubt that one or more of the aggravating circumstances enumerated in K.S.A. 2016 Supp. 21-6624, and amendments thereto, exist, the jury shall designate, in writing, signed by the foreman of the jury, the statutory aggravating circumstances which it found. If, after a reasonable time for deliberation, the jury is unable to reach a unanimous sentencing decision, the court shall dismiss the jury and the defendant shall be sentenced as provided by law. In nonjury cases, the court shall designate, in writing, the specific circumstance or circumstances which the court found beyond a reasonable doubt.

(6) If one or more of the aggravating circumstances enumerated in K.S.A. 2016 Supp. 21-6624, and amendments thereto, are found to exist beyond a reasonable doubt pursuant to this subsection, the defendant shall be sentenced pursuant to K.S.A. 2016 Supp. 21-6623, and amendments thereto, unless the sentencing judge finds substantial and compelling reasons, following a review of mitigating circumstances, to impose the sentence specified in this paragraph. If the sentencing judge does not impose the mandatory minimum term of imprisonment required by K.S.A. 2016 Supp. 21-6623, and amendments thereto, the judge shall state on the record at the time of sentencing the substantial and compelling reasons therefor, and the defendant shall be sentenced to imprisonment for life and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, the defendant shall not be eligible for parole prior to serving 25 years' imprisonment, and such 25 years' imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted.

(e) The provisions of this subsection shall apply only to the crime of murder in the first degree based upon the finding of premeditated murder committed prior to September 6, 2013.

(1) If a defendant is convicted of murder in the first degree based upon the finding of premeditated murder, upon reasonable notice by the prosecuting attorney, the court

shall conduct a separate sentencing proceeding in accordance with this subsection to determine whether the defendant shall be required to serve a mandatory minimum term of imprisonment of 40 years or for crimes committed on and after July 1, 1999, a mandatory minimum term of imprisonment of 50 years or sentenced as otherwise provided by law.

(2) The sentencing proceeding shall be conducted by the court before a jury as soon as practicable. If the trial jury has been discharged prior to sentencing, a new jury shall be impaneled. Any decision to impose a mandatory minimum term of imprisonment of 40 or 50 years shall be by a unanimous jury. Jury selection procedures, qualifications of jurors and grounds for exemption or challenge of prospective jurors in criminal trials shall be applicable to the selection of such jury. The jury at the sentencing proceeding may be waived in the manner provided by K.S.A. 22-3403, and amendments thereto, for waiver of a trial jury. If the jury at the sentencing proceeding has been waived, such proceeding shall be conducted by the court.

(3) In the sentencing proceeding, evidence may be presented concerning any matter that the court deems relevant to the question of sentence and shall include matters relating to any of the aggravating circumstances enumerated in K.S.A. 2016 Supp. 21-6624, and amendments thereto, or for crimes committed prior to July 1, 2011, K.S.A. 21-4636, prior to its repeal, and any mitigating circumstances. Any such evidence which the court deems to have probative value may be received regardless of its admissibility under the rules of evidence, provided that the defendant is accorded a fair opportunity to rebut any hearsay statements. Only such evidence of aggravating circumstances as the prosecuting attorney has made known to the defendant prior to the sentencing proceeding shall be admissible and no evidence secured in violation of the constitution of the United States or of the state of Kansas shall be admissible. Only such evidence of mitigating circumstances subject to discovery pursuant to K.S.A. 22-3212, and amendments thereto, that the defendant has made known to the prosecuting attorney prior to the sentencing proceeding shall be admissible. No testimony by the defendant at the time of sentencing shall be admissible against the defendant at any subsequent criminal proceeding. At the conclusion of the evidentiary presentation, the court shall allow the parties a reasonable period of time in which to present oral argument.

(4) At the conclusion of the evidentiary portion of the sentencing proceeding, the court shall provide oral and written instructions to the jury to guide its deliberations. If the prosecuting attorney relies on ~~subsection (a) of~~ K.S.A. 2016 Supp. 21-6624~~(a)~~, and amendments thereto, or for crimes committed prior to July 1, 2011, ~~subsection (a) of~~ K.S.A. 21-4636~~(a)~~, prior to its repeal, as an aggravating circumstance, and the court finds that one or more of the defendant's prior convictions satisfy such subsection, the jury shall be instructed that a certified journal entry of a prior conviction is presumed to prove the existence of such prior conviction or convictions beyond a reasonable doubt.

(5) If, by unanimous vote, the jury finds beyond a reasonable doubt that one or more of the aggravating circumstances enumerated in K.S.A. 2016 Supp. 21-6624, and amendments thereto, or for crimes committed prior to July 1, 2011, K.S.A. 21-4636, prior to its repeal, exist and, further, that the existence of such aggravating circumstances is not outweighed by any mitigating circumstances which are found to exist, the defendant shall be sentenced pursuant to K.S.A. 2016 Supp. 21-6623, and amendments thereto; otherwise, the defendant shall be sentenced as provided by law. The sentencing jury shall designate, in writing, signed by the foreman of the jury, the

statutory aggravating circumstances which it found. The trier of fact may make the findings required by this subsection for the purpose of determining whether to sentence a defendant pursuant to K.S.A. 2016 Supp. 21-6623, and amendments thereto, notwithstanding contrary findings made by the jury or court pursuant to ~~subsection (e) of K.S.A. 2016 Supp. 21-6617(e)~~, and amendments thereto, for the purpose of determining whether to sentence such defendant to death. If, after a reasonable time for deliberation, the jury is unable to reach a unanimous sentencing decision, the court shall dismiss the jury and the defendant shall be sentenced as provided by law. In nonjury cases, the court shall designate in writing the specific circumstance or circumstances which the court found beyond a reasonable doubt.

(f) The amendments to subsection (e) by chapter 1 of the 2013 Session Laws of Kansas (Special Session):

(1) Establish a procedural rule for sentencing proceedings, and as such shall be construed and applied retroactively to all crimes committed prior to the effective date of this act, except as provided further in this subsection; (2) shall not apply to cases in which the defendant's conviction and sentence were final prior to June 17, 2013, unless the conviction or sentence has been vacated in a collateral proceeding, including, but not limited to, K.S.A. 22-3504 or 60-1507, and amendments thereto; and (3) shall apply only in sentencing proceedings otherwise authorized by law.

(g) Notwithstanding the provisions of subsection (h), for all cases on appeal on or after September 6, 2013, if a sentence imposed under this section, prior to amendment by chapter 1 of the 2013 Session Laws of Kansas (Special Session), or under K.S.A. 21-4635, prior to its repeal, is vacated for any reason other than sufficiency of the evidence as to all aggravating circumstances, resentencing shall be required under this section, as amended by chapter 1 of the 2013 Session Laws of Kansas (Special Session), unless the prosecuting attorney chooses not to pursue such a sentence.

(h) In the event any sentence imposed under this section is held to be unconstitutional, the court having jurisdiction over a person previously sentenced shall cause such person to be brought before the court and shall sentence such person to the maximum term of imprisonment otherwise provided by law.

(i) If any provision or provisions of this section or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or provisions or application, and to this end the provisions of this section are severable.

Sec. 2. K.S.A. 2016 Supp. 21-6622 is hereby amended to read as follows: 21-6622.

(a) If, under K.S.A. 2016 Supp. 21-6617, and amendments thereto, the county or district attorney has filed a notice of intent to request a separate sentencing proceeding to determine whether the defendant should be sentenced to death and the defendant is convicted of the crime of capital murder, the defendant's counsel or the warden of the correctional institution or sheriff having custody of the defendant may request a determination by the court of whether the defendant is a person with intellectual disability. If the court determines that there is not sufficient reason to believe that the defendant is a person with intellectual disability, the court shall so find and the defendant shall be sentenced in accordance with K.S.A. 2016 Supp. 21-6617, 21-6619, 21-6624, 21-6625, 21-6628 and 21-6629, and amendments thereto. If the court determines that there is sufficient reason to believe that the defendant is a person with intellectual disability, the court shall conduct a hearing to determine whether the

defendant is a person with intellectual disability.

(b) If a defendant is convicted of the crime of capital murder and a sentence of death is not imposed, or if a defendant is convicted of the crime of murder in the first degree based upon the finding of premeditated murder, the defendant's counsel or the warden of the correctional institution or sheriff having custody of the defendant may request a determination by the court of whether the defendant is a person with intellectual disability. If the court determines that there is not sufficient reason to believe that the defendant is a person with intellectual disability, the court shall so find and the defendant shall be sentenced in accordance with K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto. If the court determines that there is sufficient reason to believe that the defendant is a person with intellectual disability, the court shall conduct a hearing to determine whether the defendant is a person with intellectual disability.

(c) At the hearing, the court shall determine whether the defendant is a person with intellectual disability. The court shall order a psychiatric or psychological examination of the defendant. For that purpose, the court shall appoint two licensed physicians or licensed psychologists, or one of each, qualified by training and practice to make such examination, to examine the defendant and report their findings in writing to the judge within 14 days after the order of examination is issued. The defendant shall have the right to present evidence and cross-examine any witnesses at the hearing. No statement made by the defendant in the course of any examination provided for by this section, whether or not the defendant consents to the examination, shall be admitted in evidence against the defendant in any criminal proceeding.

(d) If, at the conclusion of a hearing pursuant to subsection (a), the court determines that the defendant is not a person with intellectual disability, the defendant shall be sentenced in accordance with K.S.A. 2016 Supp. 21-6617, 21-6619, 21-6624, 21-6625, 21-6628 and 21-6629, and amendments thereto.

(e) If, at the conclusion of a hearing pursuant to subsection (b), the court determines that the defendant is not a person with intellectual disability, the defendant shall be sentenced in accordance with K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto.

(f) If, at the conclusion of a hearing pursuant to this section, the court determines that the defendant is a person with intellectual disability, the court shall sentence the defendant as otherwise provided by law, and no sentence of death, life without the possibility of parole, or mandatory term of imprisonment pursuant to K.S.A. 2016 Supp. 21-6623, 21-6624 and 21-6625, and amendments thereto, shall be imposed hereunder.

(g) Unless otherwise ordered by the court for good cause shown, the provisions of subsection (b) shall not apply if it has been determined, pursuant to a hearing granted under the provisions of subsection (a), that the defendant is not a person with intellectual disability.

(h) As used in this section, "intellectual disability" means having significantly subaverage general intellectual functioning, as defined by K.S.A. 76-12b01, and amendments thereto, to an extent which substantially impairs one's capacity to appreciate the criminality of one's conduct or to conform one's conduct to the requirements of law.

Sec. 3. K.S.A. 2016 Supp. 21-6623 is hereby amended to read as follows: 21-6623.

When it is provided by law that a person shall be sentenced pursuant to this section, such person shall be sentenced to imprisonment for life and shall not be eligible for probation or suspension, modification or reduction of sentence. Except as otherwise provided in this section, in addition, a person sentenced pursuant to this section shall not be eligible for parole prior to serving 40 years' imprisonment, and such 40 years' imprisonment shall not be reduced by the application of good time credits. For crimes committed ~~on and~~ or after July 1, 1999, a person sentenced pursuant to this section shall not be eligible for parole prior to serving 50 years' imprisonment, and such 50 years' imprisonment shall not be reduced by the application of good time credits. For crimes committed on or after July 1, 2006, a mandatory minimum term of imprisonment of 50 years shall not apply if the court finds that the defendant, because of the defendant's criminal history classification, ~~is~~ would be subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range ~~exceeds~~ would exceed 600 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range, the defendant shall not be eligible for parole prior to serving such mandatory minimum term of imprisonment, and such mandatory minimum term of imprisonment shall not be reduced by the application of good time credits. No other sentence shall be permitted. Upon sentencing a defendant pursuant to this section, the court shall commit the defendant to the custody of the secretary of corrections and the court shall state in the sentencing order of the judgment form or journal entry, whichever is delivered with the defendant to the correctional institution, that the defendant has been sentenced pursuant to K.S.A. 2016 Supp. 21-6623, and amendments thereto.

Sec. 4. K.S.A. 2016 Supp. 21-6627 is hereby amended to read as follows: 21-6627. (a) (1) Except as provided in subsection (b) or (d), a defendant who is 18 years of age or older and is convicted of the following crimes committed on or after July 1, 2006, shall be sentenced to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 25 years unless the court determines that the defendant should be sentenced as determined in subsection (a)(2):

(A) Aggravated human trafficking, as defined in ~~subsection (b)~~ of K.S.A. 2016 Supp. 21-5426**(b)**, and amendments thereto, if the victim is less than 14 years of age;

(B) rape, as defined in ~~subsection (a)(3)~~ of K.S.A. 2016 Supp. 21-5503**(a)(3)**, and amendments thereto;

(C) aggravated indecent liberties with a child, as defined in ~~subsection (b)(3)~~ of K.S.A. 2016 Supp. 21-5506**(b)(3)**, and amendments thereto;

(D) aggravated criminal sodomy, as defined in ~~subsection (b)(1) or (b)(2)~~ of K.S.A. 2016 Supp. 21-5504**(b)(1) or (b)(2)**, and amendments thereto;

(E) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, if the victim is less than 14 years of age;

(F) sexual exploitation of a child, as defined in ~~subsection (a)(1) or (a)(4)~~ of K.S.A. 2016 Supp. 21-5510**(a)(1) or (a)(4)**, and amendments thereto, if the child is less than 14 years of age; and

(G) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of an offense defined in subsections (a)(1)(A) through (a)(1)(F).

(2) The provision of subsection (a)(1) requiring a mandatory minimum term of imprisonment of not less than 25 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2016 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, ~~is~~ would be subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range ~~exceeds~~ would exceed 300 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range.

(b) (1) On and after July 1, 2006, if a defendant who is 18 years of age or older is convicted of a crime listed in subsection (a)(1) and such defendant has previously been convicted of a crime listed in subsection (a)(1), a crime in effect at any time prior to July 1, 2011, which is substantially the same as a crime listed in subsection (a)(1) or a crime under a law of another jurisdiction which is substantially the same as a crime listed in subsection (a)(1), the court shall sentence the defendant to a term of imprisonment for life with a mandatory minimum term of imprisonment of not less than 40 years. The provisions of this paragraph shall not apply to a crime committed under K.S.A. 2016 Supp. 21-5507, and amendments thereto, or a crime under a law of another jurisdiction which is substantially the same as K.S.A. 2016 Supp. 21-5507, and amendments thereto.

(2) The provision of subsection (b)(1) requiring a mandatory minimum term of imprisonment of not less than 40 years shall not apply if the court finds:

(A) The defendant is an aggravated habitual sex offender and sentenced pursuant to K.S.A. 2016 Supp. 21-6626, and amendments thereto; or

(B) the defendant, because of the defendant's criminal history classification, ~~is~~ would be subject to presumptive imprisonment pursuant to the sentencing guidelines grid for nondrug crimes and the sentencing range ~~exceeds~~ would exceed 480 months if the sentence established for a severity level 1 crime was imposed. In such case, the defendant is required to serve a mandatory minimum term equal to the sentence established for a severity level 1 crime pursuant to the sentencing range.

(c) When a person is sentenced pursuant to subsection (a) or (b), such person shall be sentenced to a mandatory minimum term of imprisonment of not less than 25 years, 40 years or be sentenced as determined in subsection (a)(2) or subsection (b)(2), whichever is applicable, and shall not be eligible for probation or suspension, modification or reduction of sentence. In addition, a person sentenced pursuant to this section shall not be eligible for parole prior to serving such mandatory term of imprisonment, and such imprisonment shall not be reduced by the application of good time credits. Except as provided in subsection (d), no other sentence shall be permitted.

(d) (1) On or after July 1, 2006, for a first time conviction of an offense listed in subsection (a)(1), the sentencing judge shall impose the mandatory minimum term of imprisonment provided by subsection (a), unless the judge finds substantial and compelling reasons, following a review of mitigating circumstances, to impose a departure. If the sentencing judge departs from such mandatory minimum term of imprisonment, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. The departure sentence shall be the sentence pursuant to the revised Kansas sentencing guidelines act, article 68 of

chapter 21 of the Kansas Statutes Annotated, and amendments thereto, and, subject to the provisions of K.S.A. 2016 Supp. 21-6818, and amendments thereto, no sentence of a mandatory minimum term of imprisonment shall be imposed hereunder.

(2) As used in this subsection, "mitigating circumstances" shall include, but are not limited to, the following:

- (A) The defendant has no significant history of prior criminal activity;
- (B) the crime was committed while the defendant was under the influence of extreme mental or emotional disturbances;
- (C) the victim was an accomplice in the crime committed by another person, and the defendant's participation was relatively minor;
- (D) the defendant acted under extreme distress or under the substantial domination of another person;
- (E) the capacity of the defendant to appreciate the criminality of the defendant's conduct or to conform the defendant's conduct to the requirements of law was substantially impaired; and

(F) the age of the defendant at the time of the crime.

(e) The provisions of K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, shall not apply to any defendant sentenced pursuant to this section.

Sec. 5. K.S.A. 2016 Supp. 21-6810 is hereby amended to read as follows: 21-6810.

(a) Criminal history categories contained in the sentencing guidelines grids are based on the following types of prior convictions: Person felony adult convictions, nonperson felony adult convictions, person felony juvenile adjudications, nonperson felony juvenile adjudications, person misdemeanor adult convictions, nonperson class A misdemeanor adult convictions, person misdemeanor juvenile adjudications, nonperson class A misdemeanor juvenile adjudications, select class B nonperson misdemeanor adult convictions, select class B nonperson misdemeanor juvenile adjudications and convictions and adjudications for violations of municipal ordinances or county resolutions which are comparable to any crime classified under the state law of Kansas as a person misdemeanor, select nonperson class B misdemeanor or nonperson class A misdemeanor. A prior conviction is any conviction, other than another count in the current case, which was brought in the same information or complaint or which was joined for trial with other counts in the current case pursuant to K.S.A. 22-3203, and amendments thereto, which occurred prior to sentencing in the current case, regardless of whether the offense that led to the prior conviction occurred before or after the current offense or the conviction in the current case.

(b) A class B nonperson select misdemeanor is a special classification established for weapons violations. Such classification shall be considered and scored in determining an offender's criminal history classification.

(c) Except as otherwise provided, all convictions, whether sentenced consecutively or concurrently, shall be counted separately in the offender's criminal history.

(d) Except as provided in K.S.A. 2016 Supp. 21-6815, and amendments thereto, the following are applicable to determining an offender's criminal history classification:

- (1) Only verified convictions will be considered and scored.
- (2) All prior adult felony convictions, including expungements, will be considered and scored. Prior adult felony convictions for offenses that were committed before July 1, 1993, shall be scored as a person or nonperson crime using a comparable offense

under the Kansas criminal code in effect on the date the current crime of conviction was committed.

(3) There will be no decay factor applicable for:

(A) Adult convictions;

~~(B) a juvenile adjudication for an offense which would constitute a nondrug severity level 1 through 4 person felony if committed by an adult. Prior juvenile adjudications for offenses that were committed before July 1, 1993, shall be scored as a person or nonperson crime using a comparable offense under the Kansas criminal code in effect on the date the current crime of conviction was committed;~~

~~(C) a juvenile adjudication for an offense committed before July 1, 1993, which would have been a class A, B or C felony, if committed by an adult. Prior juvenile adjudications for offenses that were committed before July 1, 1993, shall be scored as a person or nonperson crime using a comparable offense under the Kansas criminal code in effect on the date the current crime of conviction was committed; or~~

~~(D)~~(C) a juvenile adjudication for an offense committed on or after July 1, 1993, which would be an off-grid felony, or a nondrug severity level 1 through 4 felony, if committed by an adult.

(4) Except as otherwise provided, a juvenile adjudication will decay if the current crime of conviction is committed after the offender reaches the age of 25, and the juvenile adjudication is for an offense:

(A) Committed before July 1, 1993, which would have been a class D or E felony, if committed by an adult;

(B) committed on or after July 1, 1993, which would be a nondrug severity level 5 through 10, ~~a non-grid felony, a nongrid~~ felony or any drug felony, if committed by an adult; or

(C) which would be a misdemeanor, if committed by an adult.

(5) A juvenile adjudication will not be considered and scored if:

(A) The current crime of conviction is committed at least five years after the date of the prior adjudication;

(B) the offender has no new adjudications or convictions during such five-year period; and

(C) the juvenile adjudication is for an offense that would be a nondrug severity level 5 through 10 felony, drug felony, nongrid felony or misdemeanor, if committed by an adult.

~~(6)~~ All person misdemeanors, class A nonperson misdemeanors and class B select nonperson misdemeanors, and all municipal ordinance and county resolution violations comparable to such misdemeanors, shall be considered and scored. Prior misdemeanors for offenses that were committed before July 1, 1993, shall be scored as a person or nonperson crime using a comparable offense under the Kansas criminal code in effect on the date the current crime of conviction was committed.

~~(7)~~(7) Unless otherwise provided by law, unclassified felonies and misdemeanors, shall be considered and scored as nonperson crimes for the purpose of determining criminal history.

~~(8)~~(8) Prior convictions of a crime defined by a statute which that has since been repealed shall be scored using the classification assigned at the time of such conviction.

~~(9)~~(9) Prior convictions of a crime defined by a statute which that has since been determined unconstitutional by an appellate court shall not be used for criminal history

scoring purposes.

~~(9)~~(10) Prior convictions of any crime shall not be counted in determining the criminal history category if they enhance the severity level, elevate the classification from misdemeanor to felony, or are elements of the present crime of conviction. Except as otherwise provided, all other prior convictions will be considered and scored.

(e) The amendments made to this section by ~~this act~~ section 1 of chapter 5 of the 2015 Session Laws of Kansas are procedural in nature and shall be construed and applied retroactively.";

On page 17, following line 21, by inserting:

"Sec. 7. K.S.A. 2016 Supp. 22-3001 is hereby amended to read as follows: 22-3001. (a) A majority of the district judges in any judicial district may order a grand jury to be summoned in any county in the district when it is determined to be in the public interest.

(b) The district or county attorney in such attorney's county may petition the chief judge or the chief judge's designee in such district court to order a grand jury to be summoned in the designated county in the district to consider any alleged felony law violation, including any alleged misdemeanor law violation which arises as part of the same criminal conduct or investigation. The attorney general in any judicial district may petition the chief judge or the chief judge's designee in such judicial district to order a grand jury to be summoned in the designated county in the district to consider any alleged felony law violation, including any alleged misdemeanor law violation which arises as part of the same criminal conduct or investigation, if authorized by the district or county attorney in such judicial district or if jurisdiction is otherwise authorized by law. The chief judge or the chief judge's designee in the district court of the county shall then consider the petition and, if it is found that the petition is in proper form, as set forth in this subsection, shall order a grand jury to be summoned within 15 days after receipt of such petition.

(c) (1) A grand jury shall be summoned in any county within 60 days after a petition praying therefor is presented to the district court, bearing the signatures of a number of electors equal to 100 plus 2% of the total number of votes cast for governor in the county in the last preceding election.

(2) The petition, upon its face, shall state the name, address and phone number of the person filing the petition, the subject matter of the prospective grand jury, a reasonably specific identification of areas to be inquired into and sufficient general allegations to warrant a finding that such inquiry may lead to information which, if true, would warrant a true bill of indictment.

(3)(A) The petition shall be in substantially the following form:

The undersigned qualified electors of the county of _____ and state of Kansas hereby request that the district court of _____ county, Kansas, within 60 days after the filing of this petition, cause a grand jury to be summoned in the county to investigate alleged violations of law and to perform such other duties as may be authorized by law.

(B)(i) The signatures to the petition need not all be affixed to one paper, but each paper to which signatures are affixed shall have substantially the foregoing form written or printed at the top thereof. Each signer shall add to such signer's signature such signer's place of residence, giving the street and number or rural route number, if any. One of the signers of each paper shall verify upon oath that each signature appearing on

the paper is the genuine signature of the person whose name it purports to be and that such signer believes that the statements in the petition are true.

(ii) The petition shall be filed in the office of the clerk of the district court who shall forthwith transmit it to the county election officer, who shall determine whether the persons whose signatures are affixed to the petition are qualified electors of the county. Thereupon, the county election officer shall return the petition to the clerk of the district court, together with such election officer's certificate stating the number of qualified electors of the county whose signatures appear on the petition and the aggregate number of votes cast for all candidates for governor in the county in the last preceding election.

(iii) The judge or judges of the district court of the county shall then consider the petition and, if it is found that the petition is in proper form and bears the signatures of the required number of electors, a grand jury shall be ordered to be summoned. If a grand jury is not summoned because of a finding that the petition, substantially in the form required by this subsection on its face, is not in proper form, the person who filed the petition and whose name, address and phone number appear on the face of each petition shall have the right to appeal the decision to not summon a grand jury as a final judgment pursuant to K.S.A. 22-3601, and amendments thereto.

(4) After a grand jury is summoned pursuant to this subsection, but before it begins deliberations, the judge or judges of the district court of the county in which the petition is presented shall provide instructions to the grand jury regarding its conduct and deliberations, which instructions shall include, but not be limited to, the following:

(A) You have been impaneled as a grand jury pursuant to a citizens' petition filed in this court, signed by (insert number) qualified electors of this county, stating (insert the subject matter described in the petition, including a reasonably specific identification of the areas to be inquired into and the allegations sufficient to warrant a finding that the grand jury's inquiry may lead to information which, if true, would warrant a true bill of indictment). You are charged with making inquiry with regard to this subject matter and determining whether the facts support allegations warranting a true bill of indictment.

(B) The person filing the citizens' petition filed in this court must be the first witness you call for the purpose of presenting evidence and testimony as to the subject matter and allegations of the petition.

(C) You may, with the approval of this court, employ special counsel and investigators, and incur such other expense for services and supplies as you and this court deem necessary. Any special counsel or investigator you employ shall be selected by a majority vote of your grand jury. You may make such selection only after hearing testimony from the person who filed the citizens' petition. You may utilize the services of any special counsel or investigator you employ instead of, or in addition to, the services of the prosecuting attorney.

(D) If any witness duly summoned to appear and testify before you fails or refuses to obey, compulsory process will be issued by this court to enforce the witness' attendance.

(E) If any witness appearing before you refuses to testify or to answer any questions asked in the course of the witness' examination, you shall communicate that fact to this court in writing, together with a statement regarding the question the witness refuses to answer. This court will determine and inform you of whether the witness is bound to answer or not. However, no witness appearing before you can be compelled to

make any statement which will incriminate such witness.

(F) Any person may file a written request with the prosecuting attorney or with the foreman of the grand jury and request to testify or retestify in an inquiry before a grand jury or to appear before a grand jury. Any written request shall include a summary of such person's written testimony.

(G) At the conclusion of your inquiry and determination, you will return either a no bill of indictment or a true bill of indictment.

(d) The grand jury shall consist of 15 members and shall be drawn, qualified and summoned in the same manner as petit jurors for the district court. Twelve members thereof shall constitute a quorum. The judge or judges ordering the grand jury shall direct that a sufficient number of legally qualified persons be summoned for service as grand jurors. In the case of grand juries impaneled pursuant to subsection (c), the judge or judges ordering the grand jury shall allow the person that filed the petition under the provisions of subsection (c)(2), and such person's attorney, to witness the instructions to the grand jury regarding its conduct and deliberations pursuant to subsection (c)(4).";

On page 23, following line 18, by inserting:

"Sec. 9. K.S.A. 2016 Supp. 25-3601 is hereby amended to read as follows: 25-3601. (a) Subject to the provisions of subsection (d), if a petition is required or authorized as a part of the procedure applicable to the state as a whole or any legislative election district or to any county, city, school district or other municipality, or part thereof, the provisions of K.S.A. 25-3601 et seq., and amendments thereto, shall apply. The sufficiency of each signature and the number thereof on any such petition shall be determined in accordance with the provisions of K.S.A. 25-3601 ~~to through~~ 25-3607, ~~inclusive~~, and amendments thereto, by the county election officer or such other official as designated in the applicable statute. Except as provided herein, a copy of any petition requesting an election in any political or taxing subdivision of the state shall be submitted to the office of the county attorney of the county or district attorney of the district in which all or the greater portion of the political or taxing subdivision is located. If a county counselor has been appointed in the county or district, the petition shall be submitted to the county counselor. The petition shall be submitted either by hand-delivery or by certified mail, return receipt requested. Such petition shall contain the question to be submitted at the election. Within five business days following submission of the petition, the county counselor, county attorney or district attorney shall furnish a written advisory opinion as to the legality of the form of the question contained on the petition. There shall be a rebuttable presumption that the form of any question approved by the county counselor, county attorney or district attorney complies with the requirements of this act. If such opinion is not furnished within five days of submission of the question, the form of the question shall be deemed in compliance with the requirements of this act.

If the advisory opinion states that the form of the question contained in the petition does not comply with the requirements of this act, such advisory opinion shall also state specific grounds to support such determination.

Nothing in this subsection shall be construed as prohibiting the circulation of a petition for signatures or the filing of such petition with the county election officer prior to obtaining the advisory opinion required by this subsection.

(b) Any person challenging the validity of the form of a question shall have the burden of proving in the district court that the form of the question is invalid.

(c) The form of any question in a petition requesting an election on or protesting an ordinance, or resolution, adopted by the governing body of any county, city, school district or other municipality shall be presumed to be valid and in compliance with the requirements of K.S.A. 25-3601 et seq., and amendments thereto, if such petition states the title, number and exact language of the ordinance, or resolution, and the title of such petition states:

"Shall the following ordinance, or resolution, become effective?"

(d) When any other statute imposes specific requirements which are different from the requirements imposed by K.S.A. 25-3601 et seq., and amendments thereto, the provisions of the specific statute shall control. The county election officer or other official with whom the petition is required to be filed in accordance with the applicable statute shall give to persons requesting information regarding the filing of petitions a copy of K.S.A. 25-620 and article 36 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto.

(e) Any action challenging the validity of the form of a question in a petition shall be filed in the district court within 20 days after such petition has been filed with the county election officer.

The court shall render an opinion in any action filed to challenge the validity of the form of a question in a petition within 20 days after the date such action is filed with the court.

(f) The provisions of K.S.A. 25-3601 et seq., and amendments thereto, shall not apply to recall petitions as described in K.S.A. 25-4301 et seq., and amendments thereto, or a grand jury petition as described in K.S.A. 22-3001(c), and amendments thereto.";

Also on page 23, in line 21, before "22-2302" by inserting "21-6620, 21-6622, 21-6623, 21-6627, 21-6810,"; also in line 21, by striking "and" and inserting ", 22-3001,"; also in line 21, after "22-3716" by inserting "and 25-3601";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, before "warrants" by inserting "sentencing; mandatory minimum terms of imprisonment; persons with intellectual disabilities convicted of capital murder; criminal history classification of juvenile adjudications,"; in line 3, by striking "conditions of probation, revocation;" and inserting "sufficiency of grand jury petitions; right to appeal; revocation of nonprison sanctions,"; in line 5, before "22-2302" by inserting "21-6620, 21-6622, 21-6623, 21-6627, 21-6810,"; also in line 5, by striking "and" and inserting ", 22-3001,"; also in line 5, after "22-3716" by inserting "and 25-3601";

And your committee on conference recommends the adoption of this report.

RICHARD E. WILBORN

JULIA LYNN

DAVID HALEY

Conferees on part of Senate

RUSS JENNINGS

JOHN R. WHITMER

DENNIS "BOOG" HIGHBERGER

Conferees on part of House

On motion of Rep. Whitmer, the conference committee report on **HB 2092** was adopted.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claey's, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Jacobs.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2313** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 4, following line 28, by inserting:

"No more than two lottery ticket vending machines may be located at each Kansas lottery retailer selling location.";

On page 9, in line 5, by striking all after "(k)"; by striking all in line 6; in line 7, by striking all before the period and inserting "'Facility owner licensee" shall have the same meaning as that term is defined in K.S.A. 74-8802, and amendments thereto.

(l) "Racetrack gaming facility manager" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto.

(m) "Lottery gaming facility manager" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto.

(n) "Prize" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto, and any winnings from parimutuel wagering as provided by the Kansas parimutuel racing act, K.S.A. 74-8801 et seq., and amendments thereto";

Also on page 9, by striking all in lines 8 through 35; in line 40, by striking all after "director"; in line 41, by striking all before "may";

On page 10, in line 1, by striking all after "or"; in line 2, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 10, by striking all after "a"; in line 11, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility

owner licensee"; in line 14, by striking all before "with" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 16, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 18, after "debts" by inserting "by a lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 29, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 31, by striking "third party vendor, as agent of the state," and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 35, by striking "third party"; in line 36, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 38, by striking "third party vendor is acting strictly as agent for the state and" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 41, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 42, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee";

On page 11, in line 3, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee";

On page 12, in line 6, after "(5)" by inserting "transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);

(6) ";

Also on page 12, in line 7, after the stricken material by inserting "and"; in line 8, by striking the semicolon; by striking all in lines 9 through 11; in line 12, by striking all before the period; in line 20, by striking "(4)" and inserting "(5)"; in line 27, by striking all after the first comma; by striking all in lines 28 through 43;

On page 13, in line 1, by striking all before the period and inserting "during fiscal year 2018 through fiscal year 2022, on or before the 10th day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services";

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

Also on page 13, following line 27, by inserting:

"Sec. 8. K.S.A. 2016 Supp. 75-5173 is hereby amended to read as follows: 75-5173. As used in this act:

- (a) "Act" means the Kansas charitable gaming act.
- (b) "Administrator" means the administrator of charitable gaming designated by the secretary pursuant to K.S.A. 2016 Supp. 75-5186, and amendments thereto.
- (c) "Bingo" or "games of bingo" means the games of call bingo and instant bingo.
- (d) "Bingo face" or "face" means a piece of paper which is marked off into 25 squares arranged in five horizontal rows of five squares each and five vertical rows of

five squares each, with each square being designated by a number, letter or combination of numbers and letters. Only the center square shall be designated with the word "free." No two bingo faces in the same game shall be identical. Faces shall be disposable and shall not be reused after the game in which a player has used such face.

(e) "Call bingo" means a game in which: (1) Each player pays a charge; (2) a prize or prizes are awarded to the winner or winners; (3) each player receives one or more cards or faces; and (4) each player covers the squares on each card or face as the operator of such game announces a number, letter or combination of numbers and letters appearing on an object selected by chance, either manually or mechanically from a receptacle in which have been placed objects bearing numbers, letters or combinations of numbers and letters corresponding to the system used for designating the squares. The winner of each game is the player or players first covering properly a predetermined and announced pattern of squares upon the card or face being used by such player or players.

"Call bingo" shall include any regular, special, mini and progressive game of bingo.

(f) "Charitable gaming" means bingo, including call bingo, and instant bingo and charitable raffles.

(g) "Charitable raffle" means a raffle conducted by a nonprofit religious, charitable, fraternal, educational or veterans' organization.

(h) "Department" means the department of revenue.

(i) "Director" means the director of taxation.

(j) "Distributor" means any person or entity that sells or distributes instant bingo tickets, bingo cards or bingo faces.

(k) "Electronic gaming device" means a device that, as a result of the insertion of a coin or other object, operates, either completely automatically or with the aid of some physical act by the player, in such a manner that, depending upon elements of chance, it may eject something of value.

(l) "Instant bingo" means a game: (1) In which each player pays a charge; (2) in which a prize or prizes are awarded to the winner or winners; (3) in which each player receives one or more disposable pull-tab or break-open tickets which accord a player an opportunity to win something of value by opening or detaching the paper covering from the back of the ticket to reveal a set of numbers, letters, symbols or configurations, or any combination thereof; (4) which is conducted by a licensee under this act; (5) ~~the conduct of which must be in the presence of the players which may be dispensed by an instant bingo vending machine;~~ and (6) which does not utilize any dice, normal playing cards, instant ticket with a removable latex covering or slot machines.

Winners of instant bingo shall be determined either: (1) By a combination of letters, numbers or symbols determined and posted prior to the sale of instant bingo tickets; (2) by matching a letter, number or symbol under a tab of an instant bingo ticket with the winning letter, number or symbol in a designated call game of bingo during the same session; or (3) by matching a letter, number or symbol under a tab of an instant bingo ticket with one or more letters, numbers or symbols announced in, or as a continuation of, a designated call game of bingo during the same session.

"Instant bingo" ~~shall not may~~ include any bingo game utilizing electronically generated or computer-generated tickets from an instant bingo vending machine.

(m) (1) "Instant bingo vending machine" means a machine or electronic device owned or leased by a licensee, with no more than two such machines located at each

licensee's premises where bingo is conducted, the purposes of which are to:

(A) Dispense a printed instant bingo ticket after the purchaser inserts cash or other form of consideration into the machine; and

(B) allow purchasers to manually check the winning status of the instant bingo ticket.

(2) "Instant bingo vending machine" shall not:

(A) Provide a visual or audio representation of an electronic gaming machine;

(B) visually or functionally have the same characteristics of an electronic gaming machine;

(C) automatically determine or display the winning status of any dispensed instant bingo ticket;

(D) extend or arrange credit for the purchase of an instant bingo ticket;

(E) dispense any winnings;

(F) dispense any prize;

(G) dispense any evidence of a prize other than the instant bingo ticket;

(H) provide free instant bingo tickets or any other item that can be redeemed for cash; or

(I) dispense any other form of a prize to a purchaser.

(n) "Lessor" means the owner, co-owner, lessor or sublessor of premises upon which a licensee is permitted to manage, operate or conduct games of bingo.

(o) "Licensee" means any nonprofit organization holding a license to manage, operate or conduct games of bingo or charitable raffles pursuant to K.S.A. 2016 Supp. 75-5171 through 75-5188, and amendments thereto. A license shall be required for each affiliated organization of any state or national nonprofit religious, charitable, fraternal, educational or veteran's organization.

(p) "Mini bingo" means a game of call bingo in which the prizes awarded are not less than 50% of the gross receipts derived from the sale of cards or faces for participation in the game.

(q) "Net proceeds" means the gross receipts received by the licensee from charges imposed on players for participation in games of bingo or raffles and any admission fees or charges less amounts actually paid as prizes in games of bingo or raffles and any tax payable by the licensee.

(r) "Nonprofit religious organization" means any organization, church, body of communicants, or group, gathered in common membership for mutual support and edification in piety, worship, and religious observances, or a society of individuals united for religious purposes at a definite place and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and which religious organization maintains an established place of worship within this state and has a regular schedule of services or meetings at least on a weekly basis and has been determined by the administrator to be organized and created as a bona fide religious organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) or section 501(d) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit religious organization by the administrator.

(s) "Nonprofit charitable organization" means any organization which is organized and operated for:

(1) The relief of poverty, distress, or other condition of public concern within this

state;

(2) financially supporting the activities of a charitable organization as defined in paragraph (1); or

(3) conferring direct benefits on the community at large; and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization and has been determined by the administrator to be organized and operated as a bona fide charitable organization and which has been exempted from the payment of federal income taxes as provided by sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6) and 501(c)(7) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit charitable organization by the administrator.

~~(s)~~(t) "Nonprofit fraternal organization" means any organization within this state which exists for the common benefit, brotherhood, or other interests of its members and is authorized by its written constitution, charter, articles of incorporation or bylaws to engage in a fraternal, civic or service purpose within this state and has been determined by the administrator to be organized and operated as a bona fide fraternal organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(8) or section 501(c)(10) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit fraternal organization by the administrator.

~~(t)~~(u) "Nonprofit educational organization" means any public or private elementary or secondary school or institution of higher education which has been determined by the administrator to be organized and operated as a bona fide educational organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit educational organization by the administrator.

~~(u)~~(v) "Nonprofit veterans' organization" means any organization within this state or any branch, lodge or chapter of a national or state organization within this state, the membership of which consists exclusively of individuals who qualify for membership because they were or are members of the armed services or forces of the United States, or an auxiliary unit or society of such a nonprofit veterans' organization, the membership of which consists exclusively of individuals who were or are members of the armed services or forces of the United States, or are cadets, or are spouses, widows or widowers of individuals who were or are members of the armed services or forces of the United States, and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and has been determined by the administrator to be organized and operated as a bona fide veterans' organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(4) or 501(c)(19) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit veterans' organization by the administrator.

~~(v)~~(w) "Person" means any natural person, corporation, partnership, trust or association.

~~(w)~~(x) "Premises" means any room, hall, building, enclosure or outdoor area used for the management, operation or conduct of a game of bingo by a licensee.

~~(x)~~(y) "Progressive bingo" means a game of call bingo in which either the

established prize amount or number of bingo balls or objects called, or both, may be increased from one session to the next scheduled session if no player completes the required pattern within the specified number of bingo balls or objects drawn. The player's opportunity to win shall increase as the prize amount increases.

~~(y)~~(z) "Raffle" means a game of chance in which each participant buys a ticket or tickets from a nonprofit organization with each ticket providing an equal chance to win a prize and the winner being determined by a random drawing.

~~(z)~~(aa) "Reusable bingo card" means a reusable card which is marked off into 25 squares arranged in five horizontal rows of five squares each and five vertical rows of five squares each, with each square being designated by a number, letter or combination of numbers and letters. Only the center square shall be designated with the word "free." No two cards in the same game shall be identical.

~~(aa)~~(bb) "Secretary" means the secretary of revenue or the secretary's designee.

~~(bb)~~(cc) "Session" means a day on which a licensee conducts games of bingo.";

Also on page 13, in line 28, by striking "and 75-6203"; in line 29, after "74-8723," by inserting "75-5173,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the Kansas lottery" and inserting "gaming"; in line 2, before "repealing" by inserting "dealing with instant bingo vending machines;"; in line 3, after the first semicolon by inserting "concerning certain"; also in line 3, by striking "with third party vendors"; in line 4, by striking "and 75-6203"; in line 5, by striking the first "and" and inserting a comma; also in line 5, after "74-8711" by inserting "and 75-5173";

And your committee on conference recommends the adoption of this report.

BUD ESTES

ROB OLSON

OLETHA FAUST-GOUDEAU

Conferees on part of Senate

JOHN E. BARKER

RONALD L. HIGHLAND

LOUIS E. RUIZ

Conferees on part of House

On motion of Rep. Barker to adopt the conference committee report to **HB 2313**, Rep. Carmichael rose on a point of order, stating the conference committee report is in violation of Joint Rule 3(f) of the Joint Rules of the Senate and House of Representatives.

The ruling from the chair was that the conference committee report was in order. Rep. Carmichael challenged the ruling of the chair. The ruling of the chair was sustained.

Also, Rep. Helgeson offered a substitute motion to not adopt the conference committee report to **HB 2313**, and a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Barker, Highland and Ruiz as second conferees.

REPORT ON ENROLLED RESOLUTIONS

HCR 5015 reported correctly enrolled and properly signed on May 31, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Thursday, June 1, 2017.

**In the House Of Representatives
Of The State Of Kansas**

Protest of Representative Jim Ward
Substitute for House Bill 2410
May 31, 2017

Mr. Speaker:

Pursuant to Article 2, Section 10, of the Constitution of the State of Kansas I lodge this protest against Substitute for House Bill No. 2410. On May 16, 2017, the House Committee on K-12 Budget passed out Substitute for House Bill 2410, a bill dealing with the Kansas school funding formula and appropriating money to K-12 education. The bill was heard, debated and amended by the House Committee of the Whole on May 24, 2017 and recommended favorably for passage. Final action was taken by the full House on May 25, 2017, and the bill was passed and forwarded to the Senate for its consideration.

The Kansas Constitution in Article 6, Section 6, subsection (b) provides “The legislature shall make suitable provision for the finance of the educational interests of the state.” Over the last 30 years the Kansas Supreme Court has heard several lawsuits challenging the legislature’s failure to meet this constitutional obligation. The Court has identified two basic constitutional requirements in school finance cases, equitable distribution of funds calculated to meet each child’s educational needs and adequate funding so that schools can meet the demands placed upon them.

The Court’s most recent decision in *Gannon v. State of Kansas, et. al.*, ____ Kan. ____, Docket No. 113,267, March 2, 2017, found that “Under the facts of this case, the state’s public education financing system provided by the legislature for grades K-12, through its structure and implementation, is not reasonably calculated to have all Kansas public education students meet or exceed the standards set out in *Rose v. Council for Better Educ., Inc.*, 790 S.W.2d 186 (Ky. 1989), and as presently codified in K.S.A. 2016 Supp. 72-1127.”

The Court further directed that “Once a new financing system is enacted, the State will have to satisfactorily demonstrate to this court by June 30, 2017, that its proposed remedy is reasonably calculated to address the constitutional violations identified, as well as comports with previously identified constitutional mandates such as equity.”

Substitute for HB 2410 is an attempt to meet the legislature’s constitutional duty and the Court’s decision. Unfortunately, it fails in several significant areas.

1. Adequate funding. HB 2410 provides only \$286 million in new money in the

next two school years to K-12. This means the per pupil amount will only grow from \$4,006 to \$4,190 over that same period, that is \$210 less than 2009, the last year funding was deemed constitutional. In the best-case scenario, Substitute for HB 2410 doesn't even get to \$4,400 in school year 2022-2023.

The Kansas State Board of Education has recommended \$893 million in new money over the same period. The cost studies commissioned by the legislature estimate need for \$1.4 billion of new money. By whatever measurement used, it is clear Substitute for HB 2410 is woefully inadequate in funding our schools putting us in clear violation of Kansas Constitution.

2. Substitute for House Bill 2410 creates a situation where 40 of the 287 school districts in Kansas lose money totaling of \$7.4 million. It is not reasonable to believe these schools will increase achievement with decreased resources, nor is there any evidence showing these 40 districts are all performing at or above the constitutional standards without additional funds.
3. Substitute for HB 2410 adds \$2,593,452 in one-time money for school districts with extraordinary declining enrollment. There is no cost-based reasoning for this funding making it difficult to defend based on equity
4. Districts with less than 10% at-risk students can calculate their at-risk student population at 10%. This will provide \$2 million in additional money a year to only two districts. There is no cost-based reasoning for this funding making it difficult to defend based on equity. The rationale is to pay for children struggling but who don't meet the definition of at-risk. Many other districts have more children struggling than those that receive free lunches and they are not receiving additional funding.
5. Prior Local Option Budget authorization is grandfathered in this bill providing 44 districts an extra \$30 million funding due to an additional 3% of LOB authority. There is no cost-based reasoning for this funding making it difficult to defend based on equity.
6. Declining Enrollment Levy is allowed for two districts. These districts will be able to raise \$3.7 million from increases in their LOB above 31%. Low valuation districts are not able to access these funds and resulting an inequity.
7. Ancillary Levy allows districts to acquire additional money to defray the costs associated with commencing the operation of new facilities. It benefits primarily five districts with \$24 million additional local funding that is not equalized.
8. LOB equalization changes create inequity by changing the assessed valuation per pupil (AVPP) from calculating on current year to using prior year numbers, then after FY 2019 changes again to an average of the prior three years. This method will delay equalization to districts with declining AVPP and allows some districts with increasing AVPP to retain unwarranted equalization money.

9. Capital Outlay Equalization changes operate in the same manner as LOB equalization and will result in the same inequality.
10. Expansion of Capital Outlay Fund Usage to include utility expenses is dis-equalizing. It moves operating expenses (utilities) to Capital Outlay and is very harmful to less wealthy districts who cannot raise property taxes to cover these additional expenses.
11. Miscellaneous Problems:
 - a. Tax Credit for Low Income Students Scholarship (TCLISS) Program Act contributes nothing to adequacy problems but drains resources away from state general funds needed to meet constitution responsibilities.
 - b. Virtual Schools continue despite having little or no data showing contribution to the outcomes necessary to meet constitutional responsibilities.

I therefore lodge this protest with the Chief Clerk of the Kansas House of Representatives for publication in the Journal of the House of Representatives pursuant to Article 2, Section 10 of the Constitution of the State of Kansas.

Jim Ward
Kansas House of Representatives
District 86

Journal of the House

SEVENTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 1, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Jesse Burris was appointed by the Governor effective June 1, 2017, for the unexpired term of State Representative for the 82nd Legislative District, to fill the vacancy created by the resignation of Pete DeGraaf, and was administered the following oath of office on June 1, 2017.

State of Kansas
County of Shawnee}SS.

I, Jesse Burris, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 82, so help me God.

Subscribed and Sworn to, or Affirmed, before me this 1st day of June, 2017.

JOHN E. BARKER, REPRESENTATIVE
Kansas House of Representatives

Speaker Ryckman welcomed Rep. Burris to the House of Representatives.

The roll was called with 121 members present.
Reps. Cox, Jacobs, Schwab and Whipple were excused on excused absence by the Speaker.

Present later: Reps. Cox, Schwab and Whipple.

Prayer by Chaplain Brubaker:

Heavenly Father,
I stand before You today,
to express our thanksgiving for the many blessings
You give to all of us.
As our leaders continue to sort through
the various issues of current bills,
I am reminded of Elijah challenging
the prophets at Mount Carmel.
Before the challenge, he turned to the people and asked,
“How long will you waver between two opinions?”
It appears that in the case before us,
there is wavering between several opinions.
To get it right, our leaders desperately need
wisdom and guidance from above.
Help each one to set aside personal opinions
and to discover how in their diversity,
there can be unity as they follow
the leadership and direction You give.
I ask this in Christ’s Name, Amen.

The Pledge of Allegiance was led by Rep. Hodge.

INTRODUCTION OF GUESTS

There being no objection, the following remarks of Rep. Lusker are spread upon the Journal:

Good morning. I am proud to have the Girard High School Lady Trojans Softball team as my guests. Today I would like to take the time to recognize these very talented young women for winning the 4A State Softball Championship.

A big congratulations to the team, some of whom are in the gallery: Calea Augustin, Shelby Smith, Sydnee Crain, Jacey Murphy, Alanis Swift, Jaylynn Jenkins, Shaylun Grosstephan, Maleah Sandy, Jordan Ferguson, Laney Shireman, Marci Heatherly, Lakin Cherry, Breleigh Harris, Brittlely Bailey, Trista Nickelson, Kallee Franklin, Abby Smith, and to the coaches, Jim Vinze and Jeff Leslie on your championship win. Please join me in congratulating this talented group of young ladies on their accomplishment.

Rep. Lusker presented the team with a framed House certificate.

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6036**, by Reps. Ryckman, Hineman and Ward, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6036**—

HR 6036— A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the

members of the 2017 regular session of the legislature shall occupy the same seats assigned pursuant to 2017 House Resolution No. 6013 with the following exception: Burris, seat No. 39.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2186**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Campbell, the House nonconcurred in Senate amendments to **S Sub for HB 2186**, and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Campbell, Aurand and Trimmer as conferees on the part of the House.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Campbell, Aurand, and Trimmer to replace Reps. Vickrey, Dove, and Neighbor as members of the conference committee on **SB 19**.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

On motion of Rep. Hineman, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2313** and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **S Sub for HB 2186** and has appointed Senators Denning, McGinn and Hensley as conferees on the part of the Senate.

Announcing passage of **HB 2278**, as amended by **S Sub for HB 2278**.

On motion of Rep. Hineman, the House recessed until 5:40 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2278**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker to concur in Senate amendments to **S Sub for HB 2278**, Rep. Carpenter offered a substitute motion to nonconcur. The substitute motion was subsequently withdrawn.

Also, roll call was demanded on an additional substitute motion of Rep. Carpenter to nonconcur in Senate amendments to **S Sub for HB 2278** and that a conference committee be appointed.

On roll call, the vote was: Yeas 33; Nays 91; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arnberger, Aurand, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Ellis, Esau, Garber, Highland, Hoffman, Houser, Huebert, Humphries, K. Jones, Landwehr, Mason, Osterman, R. Powell, Rahjes, Resman, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thimesch, Vickrey, Weber, C., Whitmer, K. Williams.

Nays: Alcala, Alford, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Sloan, Stogsdill, S. Swanson, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Jacobs.

The motion of Rep. Carpenter did not prevail.

The question reverted back to the original motion of Rep. Barker and the House concurred in Senate amendments to **S Sub for HB 2278**, AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed firearms in certain buildings; concerning the liability of public employers; amending K.S.A. 2016 Supp. 75-7c10 and 75-7c20 and repealing the existing sections

On roll call, the vote was: Yeas 91; Nays 33; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Alford, Aurand, Baker, Ballard, Barker, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch,

Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Ellis, Esau, Garber, Highland, Hoffman, Houser, Huebert, Humphries, K. Jones, Landwehr, Mason, Orr, Osterman, Pittman, R. Powell, Rahjes, Resman, Smith, A., Smith, E., Sutton, Thimesch, Vickrey, Waymaster, Weber, C., Whitmer, K. Williams.

Present but not voting: None.

Absent or not voting: Jacobs.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote Aye on **S Sub for HB 2278**. My vote today is dedicated to the memory of Alison Bauer, an ardent citizen lobbyist whose passion for an issue did not give way to her ability to tolerate the position of those, such as me, who did not necessarily always agree with her position.

May passage of this legislation give some small degree of comfort to her friends and colleagues who continue to carry her torch and also serve as a lasting tribute to her efforts. – VIC MILLER

MR. SPEAKER: Hospitals can keep their exemption by providing adequate security. That was the crux of the original bill. They had four years to figure it out but turned a blind eye. In today's world, it's not a stretch to think our hospitals may become a target. Before 911, no one could imagine that someone would purposely fly a jetliner into a building. Our hospitals should be secure. A vote to change this law will certainly delay much needed security. That being said, I have to reluctantly vote against my 2nd amendment beliefs because my constituents have spoken. Mr. Speaker, I vote Yes to concur to **S Sub HB 2278**. – SEAN E. TARWATER

REPORT ON ENGROSSED BILLS

HB 2092 reported correctly engrossed May 31, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6035 reported correctly enrolled and properly signed on June 1, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, June 2, 2017.

Journal of the House

EIGHTIETH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, June 2, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 116 members present.

Reps. Aurand, Campbell, Murnan and Trimmer were excused on legislative business.

Reps. Arnberger, Barker, Brim, Eplee and Rafie were excused on excused absence by the Speaker.

Present later: Reps. Arnberger, Aurand, Campbell, Eplee and Rafie.

Prayer by Chaplain Brubaker:

Father God,

We thank You for Your love, forgiveness, understanding and patience.

As these representatives lead to represent their districts,
help them to be servant leaders.

As they deliberate, debate and vote upon issues,
help them to ask and then follow Your will and guidance.
Please go before them, alongside them, and behind them.

Help them today as You have in the past.

You are the God who does immeasurably more
than we could ask or imagine.

Give them humility to ask for Your help.

Give them moral courage to be agents of change
for the good of our people and for Your glory and honor.

Give them the physical stamina, mental fortitude
and emotional grace as they continue to find the answers
to difficult and challenging matters.

Remind them throughout the day of Your Word:

“The Lord is good to those whose hope is in him,
to the one who seeks him.”

I pray this in Your Son’s Name,
Amen.

The Pledge of Allegiance was led by Rep. Mason.

CHANGE OF CONFEREES

Speaker Ryckman announced the appointment of Reps. Highland, Williams and Ruiz to replace Reps. Barker, Highland and Ruiz as members of the conference committee on **HB 2313**.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2426** be amended on page 9, in line 34, following "2017" by inserting "Senate Substitute for";

On page 13, by striking all in lines 21 through 24; following line 24, by inserting:

"Sec. 6. K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 36, is hereby amended to read as follows: 8-135. (a) Upon the transfer of ownership of any vehicle registered under this act, the registration of the vehicle and the right to use any license plate thereon shall expire and thereafter there shall be no transfer of any registration, and the license plate shall be removed by the owner thereof. Except as provided in K.S.A. 8-172, and amendments thereto, and 8-1,147, and amendments thereto, it shall be unlawful for any person, other than the person to whom the license plate was originally issued, to have possession thereof. When the ownership of a registered vehicle is transferred, the original owner of the license plate may register another vehicle under the same number, upon application and payment of a fee of \$1.50, if such other vehicle does not require a higher license fee. If a higher license fee is required, then the transfer may be made upon the payment of the transfer fee of \$1.50 and the difference between the fee originally paid and that due for the new vehicle.

(b) Subject to the provisions of K.S.A. 8-198(a), and amendments thereto, upon the transfer or sale of any vehicle by any person or dealer, or upon any transfer in accordance with K.S.A. 59-3511, and amendments thereto, the new owner thereof, within 60 days, inclusive of weekends and holidays, from date of such transfer shall make application to the division for registration or reregistration of the vehicle, but no person shall operate the vehicle on any highway in this state during the sixty-day period without having applied for and obtained temporary registration from the county treasurer or from a dealer. After the expiration of the sixty-day period, it shall be unlawful for the owner or any other person to operate such vehicle upon the highways of this state unless the vehicle has been registered as provided in this act. For failure to make application for registration as provided in this section, a penalty of \$2 shall be added to other fees. When a person has a current motorcycle or passenger vehicle registration and license plate, including any registration decal affixed thereto, for a vehicle and has sold or otherwise disposed of the vehicle and has acquired another motorcycle or passenger vehicle and intends to transfer the registration and the license plate to the motorcycle or passenger vehicle acquired, but has not yet had the registration transferred in the office of the county treasurer, such person may operate the motorcycle or passenger vehicle acquired for a period of not to exceed 60 days by displaying the license plate on the rear of the vehicle acquired. If the acquired vehicle is a new vehicle such person also must carry the assigned certificate of title or manufacturer's statement of origin when operating the acquired vehicle, except that a dealer may operate such vehicle by displaying such dealer's dealer license plate.

(c) Certificate of title: No vehicle required to be registered shall be registered or any license plate or registration decal issued therefor, unless the applicant for registration shall present satisfactory evidence of ownership and apply for an original certificate of title for such vehicle. The following paragraphs of this subsection shall apply to the issuance of a certificate of title for a nonhighway vehicle, salvage vehicle or rebuilt salvage vehicle, as defined in K.S.A. 8-197, and amendments thereto, except to the extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 8-198, and amendments thereto, and to any electronic certificate of title, except to the

extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 2016 Supp. 8-135d, and amendments thereto, or with rules and regulations adopted pursuant to K.S.A. 2016 Supp. 8-135d, and amendments thereto.

The provisions of paragraphs (1) through (14) shall apply to any certificate of title issued prior to January 1, 2003, which indicates that there is a lien or encumbrance on such vehicle.

(1) An application for certificate of title shall be made by the owner or the owner's agent upon a form furnished by the division and shall state all liens or encumbrances thereon, and such other information as the division may require. Notwithstanding any other provision of this section, no certificate of title shall be issued for a vehicle having any unreleased lien or encumbrance thereon, unless the transfer of such vehicle has been consented to in writing by the holder of the lien or encumbrance. Such consent shall be in a form approved by the division. In the case of members of the armed forces of the United States while the United States is engaged at war with any foreign nation and for a period of six months next following the cessation of hostilities, such application may be signed by the owner's spouse, parents, brother or sister. The county treasurer shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and if satisfied that the applicant is the lawful owner of such vehicle, or otherwise entitled to have the same registered in such applicant's name, shall so notify the division, who shall issue an appropriate certificate of title. The certificate of title shall be in a form approved by the division, and shall contain a statement of any liens or encumbrances which the application shows, and such other information as the division determines.

(2) The certificate of title shall contain upon the reverse side a form for assignment of title to be executed by the owner. This assignment shall contain a statement of all liens or encumbrances on the vehicle at the time of assignment. The certificate of title shall also contain on the reverse side blank spaces so that an abstract of mileage as to each owner will be available. The seller at the time of each sale shall insert and certify the mileage and the purchase price on the form filed for application or reassignment of title, and the division shall insert such mileage on the certificate of title when issued to purchaser or assignee. The signature of the purchaser or assignee is required on the form filed for application or reassignment of title, acknowledging the odometer and purchase price certification made by the seller, except that vehicles which are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds shall be exempt from the mileage acknowledgment requirement of the purchaser or assignee. Such title shall indicate whether the vehicle for which it is issued has been titled previously as a nonhighway vehicle or salvage vehicle. In addition, the reverse side shall contain two forms for reassignment by a dealer, stating the liens or encumbrances thereon. The first form of reassignment shall be used only when a dealer sells the vehicle to another dealer. The second form of reassignment shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle. The reassignment by a dealer shall be used only where the dealer resells the vehicle, and during the time that the vehicle remains in the dealer's possession for resale, the certificate of title shall be dormant. When the ownership of any vehicle passes by operation of law, or repossession upon default of a lease, security agreement, or executory sales contract, the person owning such vehicle, upon furnishing satisfactory proof to the county treasurer of such ownership, may procure a certificate of title to the

vehicle. When a vehicle is registered in another state and is repossessed in another state, the owner of such vehicle shall not be entitled to obtain a valid Kansas title or registration, except that when a vehicle is registered in another state, but is financed originally by a financial institution chartered in the state of Kansas or when a financial institution chartered in Kansas purchases a pool of motor vehicle loans from the resolution trust corporation or a federal regulatory agency, and the vehicle is repossessed in another state, such Kansas financial institution shall be entitled to obtain a valid Kansas title or registration. In addition to any other fee required for the issuance of a certificate of title, any applicant obtaining a certificate of title for a repossessed vehicle shall pay a fee of \$3.

(3) Dealers shall execute, upon delivery to the purchaser of every new vehicle, a manufacturer's statement of origin stating the liens and encumbrances thereon. Such statement of origin shall be delivered to the purchaser at the time of delivery of the vehicle or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays. The agreement of the parties shall be executed on a form approved by the division. In the event delivery of title cannot be made personally, the seller may deliver the manufacturer's statement of origin by restricted mail to the address of purchaser shown on the purchase agreement. The manufacturer's statement of origin may include an attachment containing assignment of such statement of origin on forms approved by the division. Upon the presentation to the division of a manufacturer's statement of origin, by a manufacturer or dealer for a new vehicle, sold in this state, a certificate of title shall be issued if there is also an application for registration, except that no application for registration shall be required for a travel trailer used for living quarters and not operated on the highways.

(4) The fee for each original certificate of title shall be \$10 in addition to the fee for registration of such vehicle, trailer or semitrailer. The certificate of title shall be good for the life of the vehicle, trailer or semitrailer while owned or held by the original holder of the certificate of title.

(5) Except for a vehicle registered by a federally recognized Indian tribe, as provided in paragraph (16), upon sale and delivery to the purchaser of every vehicle subject to a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, the dealer or secured party may complete a notice of security interest and when so completed, the purchaser shall execute the notice, in a form prescribed by the division, describing the vehicle and showing the name and address of the secured party and of the debtor and other information the division requires. On and after July 1, 2007, only one lien shall be taken or accepted for vehicles with a gross vehicle weight rating of 26,000 pounds or less. As used in this section "gross vehicle weight rating" shall have the meaning ascribed thereto in 49 C.F.R. § 390.5, as in effect on July 1, 2017, or any later version as established in rules and regulations adopted by the state corporation commission. The dealer or secured party, within 30 days of the sale and delivery, may mail or deliver the notice of security interest, together with a fee of \$2.50, to the division. The notice of security interest shall be retained by the division until it receives an application for a certificate of title to the vehicle and a certificate of title is issued. The certificate of title shall indicate any security interest in the vehicle. Upon issuance of the certificate of title, the division shall mail or deliver confirmation of the receipt of the notice of security interest, the date the certificate of title is issued and the security interest

indicated, to the secured party at the address shown on the notice of security interest. The proper completion and timely mailing or delivery of a notice of security interest by a dealer or secured party shall perfect a security interest in the vehicle, as referenced in K.S.A. 2016 Supp. 84-9-311, and amendments thereto, on the date of such mailing or delivery. The county treasurers shall mail a copy of the title application to the lienholder. For any vehicle subject to a lien, the county treasurer, division or contractor shall collect from the applicant a \$1.50 service fee for processing and mailing a copy of the title application to the lienholder.

(6) It shall be unlawful for any person to operate in this state a vehicle required to be registered under this act, or to transfer the title to any such vehicle to any person or dealer, unless a certificate of title has been issued as herein provided. In the event of a sale or transfer of ownership of a vehicle for which a certificate of title has been issued, which certificate of title is in the possession of the transferor at the time of delivery of the vehicle, the holder of such certificate of title shall endorse on the same an assignment thereof, with warranty of title in a form prescribed by the division and printed thereon and the transferor shall deliver the same to the buyer at the time of delivery to the buyer of the vehicle or at a time agreed upon by the parties, not to exceed 60 days, inclusive of weekends and holidays, after the time of delivery. The agreement of the parties shall be executed on a form provided by the division. The requirements of this paragraph concerning delivery of an assigned title are satisfied if the transferor mails to the transferee by restricted mail the assigned certificate of title within the 60 days, and if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such transferor shall be deemed to have possession of the certificate of title if the transferor has made application therefor to the division. The buyer shall then present such assigned certificate of title to the division at the time of making application for registration of such vehicle. A new certificate of title shall be issued to the buyer, upon payment of the fee of \$10. If such vehicle is sold to a resident of another state or country, the dealer or person making the sale shall notify the division of the sale and the division shall make notation thereof in the records of the division. When a person acquires a security interest that such person seeks to perfect on a vehicle subsequent to the issuance of the original title on such vehicle, such person shall require the holder of the certificate of title to surrender the same and sign an application for a mortgage title in form prescribed by the division. Upon such surrender such person shall immediately deliver the certificate of title, application, and a fee of \$10 to the division. Delivery of the surrendered title, application and tender of the required fee shall perfect a security interest in the vehicle as referenced in K.S.A. 2016 Supp. 84-9-311, and amendments thereto. On and after July 1, 2007, only one lien may be taken or accepted for security for an obligation to be secured by a lien to be shown on a certificate of title for vehicles with a gross vehicle weight rating, as defined in 49 C.F.R. § 390.5, as in effect on July 1, 2017, or any later version as established in rules and regulations adopted by the state corporation commission, of 26,000 pounds or less. A refinancing shall not be subject to the limitations of this act. A refinancing is deemed to occur when the original obligation is satisfied and replaced by a new obligation. Lien obligations created before July 1, 2007, which are of a continuing nature shall not be subject to the limitations of this act until the obligation is satisfied. A lien in violation of this provision is void. Upon receipt of the surrendered title, application and fee, the division shall issue a new certificate of title showing the liens or encumbrances so

created, but only one lien or encumbrance may be shown upon a title for vehicles with a gross vehicle rating of 26,000 pounds or less, and not more than two liens or encumbrances may be shown upon a title for vehicles in excess of 26,000 pounds gross vehicle weight rating. When a prior lienholder's name is removed from the title, there must be satisfactory evidence presented to the division that the lien or encumbrance has been paid. When the indebtedness to a lienholder, whose name is shown upon a title, is paid in full, such lienholder shall comply with the provisions of K.S.A. 2016 Supp. 8-1,157, and amendments thereto.

(7) It shall be unlawful for any person to buy or sell in this state any vehicle required to be registered, unless, at the time of delivery thereof or at a time agreed upon by the parties, not to exceed 60 days, inclusive of weekends and holidays, after the time of delivery, there shall pass between the parties a certificate of title with an assignment thereof. The sale of a vehicle required to be registered under the laws of this state, without assignment of the certificate of title, is fraudulent and void, unless the parties shall agree that the certificate of title with assignment thereof shall pass between them at a time other than the time of delivery, but within 60 days thereof. The requirements of this paragraph concerning delivery of an assigned title shall be satisfied if: (A) The seller mails to the purchaser by restricted mail the assigned certificate of title within 60 days; or (B) if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such seller shall be deemed to have possession of the certificate of title if such seller has made application therefor to the division; or (C) if the transferor is a dealer and has assigned a title pursuant to subsection (c)(9).

(8) In cases of sales under the order of a court of a vehicle required to be registered under this act, the officer conducting such sale shall issue to the purchaser a certificate naming the purchaser and reciting the facts of the sale, which certificate shall be prima facie evidence of the ownership of such purchaser for the purpose of obtaining a certificate of title to such motor vehicle and for registering the same. Any such purchaser shall be allowed 60 days, inclusive of weekends and holidays, from the date of sale to make application to the division for a certificate of title and for the registering of such motor vehicle.

(9) Any dealer who has acquired a vehicle, the title for which was issued under the laws of and in a state other than the state of Kansas, shall not be required to obtain a Kansas certificate of title therefor during the time such vehicle remains in such dealer's possession and at such dealer's place of business for the purpose of sale. The purchaser or transferee shall present the assigned title to the division of vehicles when making application for a certificate of title as provided in subsection (c)(1).

(10) Motor vehicles may be held and titled in transfer-on-death form.

(11) Notwithstanding the provisions of this act with respect to time requirements for delivery of a certificate of title, or manufacturer's statement of origin, as applicable, any person who chooses to reaffirm the sale in writing on a form approved by the division which advises them of their rights pursuant to subsection (c)(7) and who has received and accepted assignment of the certificate of title or manufacturer's statement of origin for the vehicle in issue may not thereafter void or set aside the transaction with respect to the vehicle for the reason that a certificate of title or manufacturer's statement of origin was not timely delivered, and in such instances the sale of a vehicle shall not be deemed to be fraudulent and void for that reason alone.

(12) The owner of any vehicle assigning a certificate of title in accordance with the

provisions of this section may file with the division a form indicating that such owner has assigned such certificate of title. Such forms shall be furnished by the division and shall contain such information as the division may require. Any owner filing a form as provided in this paragraph shall pay a fee of \$10. The filing of such form shall be prima facie evidence that such certificate of title was assigned and shall create a rebuttable presumption. If the assignee of a certificate of title fails to make application for registration, an owner assigning such title and filing the form in accordance with the provisions of this paragraph shall not be held liable for damages resulting from the operation of such vehicle.

(13) Application for a certificate of title on a boat trailer with a gross weight over 2,000 pounds shall be made by the owner or the owner's agent upon a form to be furnished by the division and shall contain such information as the division shall determine necessary. The division may waive any information requested on the form if it is not available. The application together with a bill of sale for the boat trailer shall be accepted as prima facie evidence that the applicant is the owner of the boat trailer, provided that a Kansas title for such trailer has not previously been issued. If the application and bill of sale are used to obtain a certificate of title for a boat trailer under this paragraph, the certificate of title shall not be issued until an inspection in accordance with K.S.A. 8-116a(a), and amendments thereto, has been completed.

(14) In addition to the two forms for reassignment under subsection (c)(2), a dealer may attach one additional reassignment form to a certificate of title. The director of vehicles shall prescribe and furnish such reassignment forms. The reassignment form shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle only when the two reassignment forms under subsection (c)(2) have already been used. The fee for a reassignment form shall be \$6.50. A dealer may purchase reassignment forms in multiples of five upon making proper application and the payment of required fees.

(15) A first stage manufacturer, as defined in K.S.A. 8-2401, and amendments thereto, who manufactures a motor vehicle in this state, and who sells such motor vehicles to dealers located in a foreign country, may execute a manufacturers statement of origin to the division of vehicles for the purpose of obtaining an export certificate of title. The motor vehicle issued an export certificate of title shall not be required to be registered in this state. An export certificate of title shall not be used to register such vehicle in the United States.

(16) A security interest in a vehicle registered by a federally recognized Indian tribe shall be deemed valid under Kansas law if validly perfected under the applicable tribal law and the lien is noted on the face of the tribal certificate of title.

(17) On and after January 1, 2010, a certificate of title issued for a rebuilt salvage vehicle for the initial time, shall indicate on such title, the reduced classification of such vehicle as provided under K.S.A. 79-5104, and amendments thereto.

Sec. 7. K.S.A. 2016 Supp. 12-4120, as amended by section 7 of 2017 Senate Bill No. 89, is hereby amended to read as follows: 12-4120. (a) On and after July 1, 2012, the amount of \$250 from each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 8-1567 or 8-2,144 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall

credit the entire amount to the community corrections supervision fund established by K.S.A. 2016 Supp. 75-52,113, and amendments thereto.

(b) ~~On and after July 1, 2013, the amount of \$2,500 from~~One-half of each fine imposed for a violation of a city ordinance prohibiting the acts prohibited by K.S.A. 2016 Supp. 21-6421, and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and the remainder shall be remitted as otherwise permitted by law. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the human trafficking victim assistance fund established by K.S.A. 2016 Supp. 75-758, and amendments thereto.

(c) On and after July 1, 2017, the amount of \$20 from each fine imposed for a violation of a city ordinance requiring the use of safety belts for those individuals required by K.S.A. 8-2503(a)(1), and amendments thereto, shall be remitted by the judge or clerk of the municipal court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the seat belt safety fund established by section 4 of 2017 Senate Bill No. 89, and amendments thereto.

Sec. 8. K.S.A. 2016 Supp. 21-6614, as amended by section 15 of 2017 House Substitute for Senate Bill No. 40, is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2016 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint

against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2016 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603, prior to its repeal, or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567 or K.S.A. 2016 Supp. 8-1025, and amendments thereto.

(3) Except as provided further, the provisions of this subsection shall apply to all violations committed on or after July 1, 2006. The provisions of subsection (d)(2) shall not apply to violations committed on or after July 1, 2014, but prior to July 1, 2015.

(e) There shall be no expungement of convictions for the following offenses or of

convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2016 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(7) internet trading in child pornography or aggravated internet trading in child pornography, as defined in section 3, and amendments thereto;

(8) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604, and amendments thereto;

(9) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2016 Supp. 21-5601, and amendments thereto;

(10) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2016 Supp. 21-5602, and amendments thereto;

(11) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2016 Supp. 21-5401, and amendments thereto;

(12) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments thereto;

(13) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments thereto;

(14) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto;

(15) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2016 Supp. 21-5405, and amendments thereto;

(16) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(17) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505, and amendments thereto;

(18) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(19) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in

the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

- (A) Defendant's full name;
- (B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
- (C) defendant's sex, race and date of birth;
- (D) crime for which the defendant was arrested, convicted or diverted;
- (E) date of the defendant's arrest, conviction or diversion; and
- (F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, ~~2015~~ 2017, through June 30, ~~2017~~ 2019, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency,

certification as a firearms trainer pursuant to K.S.A. 2016 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto;

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2016 Supp. 75-7c01 et seq., and amendments thereto; or

(L) for applications received on and after July 1, 2016, to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously

expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) Notwithstanding the provisions of subsection (k)(1), and except as provided in K.S.A. 2016 Supp. 21-6304(a)(3)(A), and amendments thereto, the expungement of a prior felony conviction does not relieve the individual of complying with any state or federal law relating to the use, shipment, transportation, receipt or possession of firearms by persons previously convicted of a felony.

(l) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the

Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to:

(A) Carry a concealed weapon pursuant to the personal and family protection act; or

(B) act as a bail enforcement agent pursuant to K.S.A. 2016 Supp. 75-7e01 through 75-7e09 and K.S.A. 2016 Supp. 50-6,141, and amendments thereto; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(m) The provisions of subsection (l)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 9. K.S.A. 2016 Supp. 22-2410, as amended by section 8 of 2017 Senate Bill No. 112, is hereby amended to read as follows: 22-2410. (a) (1) Any person who has

been arrested in this state may petition the district court for the expungement of such arrest record.

(2) (A) If a person has been arrested in this state as a result of mistaken identity or as a result of another person using the identifying information of the named person, and the charge against the named person is dismissed or not prosecuted, the prosecuting attorney or other judicial officer who ordered the dismissal or declined to prosecute shall provide notice to the court of such action and petition the district court for the expungement of such arrest record, and the court shall order the arrest record and subsequent court proceedings, if any, expunged and purged from all applicable state and federal systems pursuant to subsection (d).

(B) For purposes of this section, the term "mistaken identity" means the erroneous arrest of a person for a crime as a result of misidentification by a witness or law enforcement, confusion on the part of a witness or law enforcement as to the identity of the person who committed the crime, misinformation provided to law enforcement as to the identity of the person who committed the crime or some other mistake on the part of a witness or law enforcement as to the identity of the person who committed the crime. "Mistaken identity" shall not include any situation in which an arrestee intentionally provides false information to law enforcement officials in an attempt to conceal such person's identity.

(b) (1) When a petition for expungement is filed pursuant to subsection (a)(1), the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(2) When a petition for expungement is filed pursuant to subsection (a)(1) or (a)(2), the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order.

(3) (A) Except as otherwise provided by law, a petition for expungement pursuant to subsection (a)(1) shall be accompanied by a docket fee in the amount of \$176. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after July 1, ~~2015~~ 2017, through June 30, ~~2017~~ 2019, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel.

(B) No surcharge or fee shall be imposed to any person filing a petition pursuant to subsection (a)(1), who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or K.S.A. 2016 Supp. 21-6107(a), and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed.

(4) The petition filed pursuant to subsection (a)(1) or (a)(2) shall state:

(A) The petitioner's full name;

(B) the full name of the petitioner at the time of arrest, if different than the

petitioner's current name;

- (C) the petitioner's sex, race and date of birth;
- (D) the crime for which the petitioner was arrested;
- (E) the date of the petitioner's arrest; and
- (F) the identity of the arresting law enforcement agency.

(c) At the hearing on a petition for expungement pursuant to subsection (a)(1), the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

(2) a court has found that there was no probable cause for the arrest;

(3) the petitioner was found not guilty in court proceedings; or

(4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) (1) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, on a petition for expungement pursuant to subsection (a)(1), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. If an order of expungement is entered, the petitioner pursuant to subsection (a)(1) shall be treated as not having been arrested.

(2) When the court has ordered expungement of arrest records on a petition for expungement pursuant to subsection (a)(2), the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (a)(2). The order shall also direct the Kansas bureau of investigation to purge the arrest information from the criminal justice information system central repository and all applicable state and federal databases. The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation, which shall carry out the order and shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency that may have a record of the arrest. If an order of expungement is entered, the person eligible for mandatory expungement pursuant to subsection (a)(2) shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes:

(1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed

appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a person's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed pursuant to subsection (a)(1) shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 10. K.S.A. 2016 Supp. 22-3717, as amended by section 10 of 2017 Senate Bill No. 112, is hereby amended to read as follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A. 1993 Supp. 21-4628, prior to its repeal; K.S.A. 21-4624, 21-4635 through 21-4638 and 21-4642, prior to their repeal; K.S.A. 2016 Supp. 21-6617, 21-6620, 21-6623, 21-6624, 21-6625 and 21-6626, and amendments thereto; and K.S.A. 8-1567, and amendments thereto; an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) (1) An inmate sentenced to imprisonment for life without the possibility of parole pursuant to K.S.A. 2016 Supp. 21-6617, and amendments thereto, shall not be eligible for parole.

(2) Except as provided by K.S.A. 21-4635 through 21-4638, prior to their repeal,

and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for the crime of: (A) Capital murder committed on or after July 1, 1994, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; (B) murder in the first degree based upon a finding of premeditated murder committed on or after July 1, 1994, but prior to July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits; and (C) murder in the first degree as described in K.S.A. 2016 Supp. 21-5402(a)(2), and amendments thereto, committed on or after July 1, 2014, shall be eligible for parole after serving 25 years of confinement, without deduction of any good time credits.

(3) Except as provided by subsections (b)(1), (b)(2) and (b)(5), K.S.A. 1993 Supp. 21-4628, prior to its repeal, K.S.A. 21-4635 through 21-4638, prior to their repeal, and K.S.A. 2016 Supp. 21-6620, 21-6623, 21-6624 and 21-6625, and amendments thereto, an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1993, but prior to July 1, 1999, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits and an inmate sentenced to imprisonment for an off-grid offense committed on or after July 1, 1999, shall be eligible for parole after serving 20 years of confinement without deduction of any good time credits.

(4) Except as provided by K.S.A. 1993 Supp. 21-4628, prior to its repeal, an inmate sentenced for a class A felony committed before July 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, prior to its repeal, or K.S.A. 2016 Supp. 21-6707, and amendments thereto, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(5) An inmate sentenced to imprisonment for a violation of K.S.A. 21-3402(a), prior to its repeal, committed on or after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole after serving 10 years of confinement without deduction of any good time credits.

(6) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, committed on or after July 1, 2006, shall be eligible for parole after serving the mandatory term of imprisonment without deduction of any good time credits.

(c) (1) Except as provided in subsection (e), if an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(A) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608, prior to its repeal, or K.S.A. 2016 Supp. 21-6606, and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(B) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, the inmate shall be eligible for parole after serving the mandatory term of imprisonment.

(d) (1) Persons sentenced for crimes, other than off-grid crimes, committed on or after July 1, 1993, or persons subject to subparagraph (G), will not be eligible for parole, but will be released to a mandatory period of postrelease supervision upon

completion of the prison portion of their sentence as follows:

(A) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 1 through 4 crimes, drug severity levels 1 and 2 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity levels 1, 2 and 3 crimes committed on or after July 1, 2012, must serve 36 months on postrelease supervision.

(B) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 5 and 6 crimes, drug severity level 3 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 4 crimes committed on or after July 1, 2012, must serve 24 months on postrelease supervision.

(C) Except as provided in subparagraphs (D) and (E), persons sentenced for nondrug severity levels 7 through 10 crimes, drug severity level 4 crimes committed on or after July 1, 1993, but prior to July 1, 2012, and drug severity level 5 crimes committed on or after July 1, 2012, must serve 12 months on postrelease supervision.

(D) Persons sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, committed on or after July 1, 1993, but prior to July 1, 2006, a sexually motivated crime in which the offender has been ordered to register pursuant to K.S.A. 22-3717(d)(1)(D) (vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2016 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2016 Supp. 21-5512, and amendments thereto, shall serve the period of postrelease supervision as provided in subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C), plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto, on postrelease supervision.

(i) If the sentencing judge finds substantial and compelling reasons to impose a departure based upon a finding that the current crime of conviction was sexually motivated, departure may be imposed to extend the postrelease supervision to a period of up to 60 months.

(ii) If the sentencing judge departs from the presumptive postrelease supervision period, the judge shall state on the record at the time of sentencing the substantial and compelling reasons for the departure. Departures in this section are subject to appeal pursuant to K.S.A. 21-4721, prior to its repeal, or K.S.A. 2016 Supp. 21-6820, and amendments thereto.

(iii) In determining whether substantial and compelling reasons exist, the court shall consider:

- (a) Written briefs or oral arguments submitted by either the defendant or the state;
- (b) any evidence received during the proceeding;
- (c) the presentence report, the victim's impact statement and any psychological evaluation as ordered by the court pursuant to K.S.A. 21-4714(e), prior to its repeal, or K.S.A. 2016 Supp. 21-6813(e), and amendments thereto; and
- (d) any other evidence the court finds trustworthy and reliable.

(iv) The sentencing judge may order that a psychological evaluation be prepared and the recommended programming be completed by the offender. The department of corrections or the prisoner review board shall ensure that court ordered sex offender treatment be carried out.

(v) In carrying out the provisions of subsection (d)(1)(D), the court shall refer to

K.S.A. 21-4718, prior to its repeal, or K.S.A. 2016 Supp. 21-6817, and amendments thereto.

(vi) Upon petition and payment of any restitution ordered pursuant to K.S.A. 2016 Supp. 21-6604, and amendments thereto, the prisoner review board may provide for early discharge from the postrelease supervision period imposed pursuant to subsection (d)(1)(D)(i) upon completion of court ordered programs and completion of the presumptive postrelease supervision period, as determined by the crime of conviction, pursuant to subsection (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from postrelease supervision is at the discretion of the board.

(vii) Persons convicted of crimes deemed sexually violent or sexually motivated shall be registered according to the offender registration act, K.S.A. 22-4901 through 22-4910, and amendments thereto.

(viii) Persons convicted of K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2016 Supp. 21-5508, and amendments thereto, shall be required to participate in a treatment program for sex offenders during the postrelease supervision period.

(E) The period of postrelease supervision provided in subparagraphs (A) and (B) may be reduced by up to 12 months and the period of postrelease supervision provided in subparagraph (C) may be reduced by up to six months based on the offender's compliance with conditions of supervision and overall performance while on postrelease supervision. The reduction in the supervision period shall be on an earned basis pursuant to rules and regulations adopted by the secretary of corrections.

(F) In cases where sentences for crimes from more than one severity level have been imposed, the offender shall serve the longest period of postrelease supervision as provided by this section available for any crime upon which sentence was imposed irrespective of the severity level of the crime. Supervision periods will not aggregate.

(G) (i) Except as provided in subsection (u), persons sentenced to imprisonment for a sexually violent crime committed on or after July 1, 2006, when the offender was 18 years of age or older, and who are released from prison, shall be released to a mandatory period of postrelease supervision for the duration of the person's natural life.

(ii) Persons sentenced to imprisonment for a sexually violent crime committed on or after the effective date of this act, when the offender was under 18 years of age, and who are released from prison, shall be released to a mandatory period of postrelease supervision for 60 months, plus the amount of good time and program credit earned and retained pursuant to K.S.A. 21-4722, prior to its repeal, or K.S.A. 2016 Supp. 21-6821, and amendments thereto.

(2) Persons serving a period of postrelease supervision pursuant to subsections (d)(1)(A), (d)(1)(B) or (d)(1)(C) may petition the prisoner review board for early discharge. Upon payment of restitution, the prisoner review board may provide for early discharge.

(3) Persons serving a period of incarceration for a supervision violation shall not have the period of postrelease supervision modified until such person is released and returned to postrelease supervision.

(4) Offenders whose crime of conviction was committed on or after July 1, 2013, and whose probation, assignment to a community correctional services program, suspension of sentence or nonprison sanction is revoked pursuant to K.S.A. 22-3716(c), and amendments thereto, or whose underlying prison term expires while serving a sanction pursuant to K.S.A. 22-3716(c)(1)(C) or (c)(1)(D), and amendments thereto,

shall serve a period of postrelease supervision upon the completion of the underlying prison term.

(5) As used in this subsection, "sexually violent crime" means:

(A) Rape, K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto;

(B) indecent liberties with a child, K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto;

(C) aggravated indecent liberties with a child, K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto;

(D) criminal sodomy, K.S.A. 21-3505(a)(2) and (a)(3), prior to its repeal, or K.S.A. 2016 Supp. 21-5504(a)(3) and (a)(4), and amendments thereto;

(E) aggravated criminal sodomy, K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto;

(F) indecent solicitation of a child, K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto;

(G) aggravated indecent solicitation of a child, K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto;

(H) sexual exploitation of a child, K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto;

(I) aggravated sexual battery, K.S.A. 21-3518, prior to its repeal, or K.S.A. 2016 Supp. 21-5505(b), and amendments thereto;

(J) aggravated incest, K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto;

(K) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(L) internet trading in child pornography, as defined in section 3(a) of 2017 House Substitute for Senate Bill No. 40, and amendments thereto;

(M) aggravated internet trading in child pornography, as defined in section 3(b) of 2017 House Substitute for Senate Bill No. 40, and amendments thereto;

(N) commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto; or

~~(M)~~(O) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2016 Supp. 21-5301, 21-5302 or 21-5303, and amendments thereto, of a sexually violent crime as defined in this section.

(6) As used in this subsection, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(e) If an inmate is sentenced to imprisonment for a crime committed while on parole or conditional release, the inmate shall be eligible for parole as provided by subsection (c), except that the prisoner review board may postpone the inmate's parole eligibility date by assessing a penalty not exceeding the period of time which could have been assessed if the inmate's parole or conditional release had been violated for reasons other than conviction of a crime.

(f) If a person is sentenced to prison for a crime committed on or after July 1, 1993, while on probation, parole, conditional release or in a community corrections program,

for a crime committed prior to July 1, 1993, and the person is not eligible for retroactive application of the sentencing guidelines and amendments thereto pursuant to K.S.A. 21-4724, prior to its repeal, the new sentence shall not be aggregated with the old sentence, but shall begin when the person is paroled or reaches the conditional release date on the old sentence. If the offender was past the offender's conditional release date at the time the new offense was committed, the new sentence shall not be aggregated with the old sentence but shall begin when the person is ordered released by the prisoner review board or reaches the maximum sentence expiration date on the old sentence, whichever is earlier. The new sentence shall then be served as otherwise provided by law. The period of postrelease supervision shall be based on the new sentence, except that those offenders whose old sentence is a term of imprisonment for life, imposed pursuant to K.S.A. 1993 Supp. 21-4628, prior to its repeal, or an indeterminate sentence with a maximum term of life imprisonment, for which there is no conditional release or maximum sentence expiration date, shall remain on postrelease supervision for life or until discharged from supervision by the prisoner review board.

(g) Subject to the provisions of this section, the prisoner review board may release on parole those persons confined in institutions who are eligible for parole when: (1) The board believes that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate; or (2) the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement, and the board believes that the inmate is able and willing to fulfill the obligations of a law abiding citizen and is of the opinion that there is reasonable probability that the inmate can be released without detriment to the community or to the inmate. Parole shall not be granted as an award of clemency and shall not be considered a reduction of sentence or a pardon.

(h) The prisoner review board shall hold a parole hearing at least the month prior to the month an inmate will be eligible for parole under subsections (a), (b) and (c). At least one month preceding the parole hearing, the county or district attorney of the county where the inmate was convicted shall give written notice of the time and place of the public comment sessions for the inmate to any victim of the inmate's crime who is alive and whose address is known to the county or district attorney or, if the victim is deceased, to the victim's family if the family's address is known to the county or district attorney. Except as otherwise provided, failure to notify pursuant to this section shall not be a reason to postpone a parole hearing. In the case of any inmate convicted of an off-grid felony or a class A felony, the secretary of corrections shall give written notice of the time and place of the public comment session for such inmate at least one month preceding the public comment session to any victim of such inmate's crime or the victim's family pursuant to K.S.A. 74-7338, and amendments thereto. If notification is not given to such victim or such victim's family in the case of any inmate convicted of an off-grid felony or a class A felony, the board shall postpone a decision on parole of the inmate to a time at least 30 days after notification is given as provided in this section. Nothing in this section shall create a cause of action against the state or an employee of the state acting within the scope of the employee's employment as a result of the failure to notify pursuant to this section. If granted parole, the inmate may be

released on parole on the date specified by the board, but not earlier than the date the inmate is eligible for parole under subsections (a), (b) and (c). At each parole hearing and, if parole is not granted, at such intervals thereafter as it determines appropriate, the board shall consider: (1) Whether the inmate has satisfactorily completed the programs required by any agreement entered under K.S.A. 75-5210a, and amendments thereto, or any revision of such agreement; and (2) all pertinent information regarding such inmate, including, but not limited to, the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; the reports of such physical and mental examinations as have been made, including, but not limited to, risk factors revealed by any risk assessment of the inmate; comments of the victim and the victim's family including in person comments, contemporaneous comments and prerecorded comments made by any technological means; comments of the public; official comments; any recommendation by the staff of the facility where the inmate is incarcerated; proportionality of the time the inmate has served to the sentence a person would receive under the Kansas sentencing guidelines for the conduct that resulted in the inmate's incarceration; and capacity of state correctional institutions.

(i) In those cases involving inmates sentenced for a crime committed after July 1, 1993, the prisoner review board will review the inmate's proposed release plan. The board may schedule a hearing if they desire. The board may impose any condition they deem necessary to insure public safety, aid in the reintegration of the inmate into the community, or items not completed under the agreement entered into under K.S.A. 75-5210a, and amendments thereto. The board may not advance or delay an inmate's release date. Every inmate while on postrelease supervision shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary.

(j) (1) Before ordering the parole of any inmate, the prisoner review board shall have the inmate appear either in person or via a video conferencing format and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the board formally considers placing an inmate on parole and no agreement has been entered into with the inmate under K.S.A. 75-5210a, and amendments thereto, the board shall notify the inmate in writing of the reasons for not granting parole. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the inmate has not satisfactorily completed the programs specified in the agreement, or any revision of such agreement, the board shall notify the inmate in writing of the specific programs the inmate must satisfactorily complete before parole will be granted. If parole is not granted only because of a failure to satisfactorily complete such programs, the board shall grant parole upon the secretary's certification that the inmate has successfully completed such programs. If an agreement has been entered under K.S.A. 75-5210a, and amendments thereto, and the secretary of corrections has reported to the board in writing that the inmate has satisfactorily completed the programs required by such agreement, or any revision thereof, the board shall not require further program participation. However, if the board determines that other pertinent information regarding the inmate warrants the inmate's not being released on parole, the board shall state in writing the reasons for not granting the parole. If parole is denied for an inmate sentenced for a crime other than a class A or

class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than one year after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next three years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to three years but any such deferral by the board shall require the board to state the basis for its findings. If parole is denied for an inmate sentenced for a class A or class B felony or an off-grid felony, the board shall hold another parole hearing for the inmate not later than three years after the denial unless the board finds that it is not reasonable to expect that parole would be granted at a hearing if held in the next 10 years or during the interim period of a deferral. In such case, the board may defer subsequent parole hearings for up to 10 years, but any such deferral shall require the board to state the basis for its findings.

(2) Inmates sentenced for a class A or class B felony who have not had a board hearing in the five years prior to July 1, 2010, shall have such inmates' cases reviewed by the board on or before July 1, 2012. Such review shall begin with the inmates with the oldest deferral date and progress to the most recent. Such review shall be done utilizing existing resources unless the board determines that such resources are insufficient. If the board determines that such resources are insufficient, then the provisions of this paragraph are subject to appropriations therefor.

(k) (1) Parolees and persons on postrelease supervision shall be assigned, upon release, to the appropriate level of supervision pursuant to the criteria established by the secretary of corrections.

(2) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment.

(3) Parolees and persons on postrelease supervision are, and shall agree in writing to be, subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity. Any law enforcement officer who conducts such a search shall submit a written report to the appropriate parole officer no later than the close of the next business day after such search. The written report shall include the facts leading to such search, the scope of such search and any findings resulting from such search.

(l) The prisoner review board shall promulgate rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the conduct of parole hearings, postrelease supervision reviews, revocation hearings, orders of restitution, reimbursement of expenditures by the state board of indigents' defense services and other conditions to be imposed upon parolees or releasees. Whenever an order for parole or postrelease supervision is issued it shall recite the conditions thereof.

(m) Whenever the prisoner review board orders the parole of an inmate or establishes conditions for an inmate placed on postrelease supervision, the board:

(1) Unless it finds compelling circumstances which would render a plan of payment

unworkable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision pay any transportation expenses resulting from returning the parolee or the person on postrelease supervision to this state to answer criminal charges or a warrant for a violation of a condition of probation, assignment to a community correctional services program, parole, conditional release or postrelease supervision;

(2) to the extent practicable, shall order as a condition of parole or postrelease supervision that the parolee or the person on postrelease supervision make progress towards or successfully complete the equivalent of a secondary education if the inmate has not previously completed such educational equivalent and is capable of doing so;

(3) may order that the parolee or person on postrelease supervision perform community or public service work for local governmental agencies, private corporations organized not-for-profit or charitable or social service organizations performing services for the community;

(4) may order the parolee or person on postrelease supervision to pay the administrative fee imposed pursuant to K.S.A. 22-4529, and amendments thereto, unless the board finds compelling circumstances which would render payment unworkable;

(5) unless it finds compelling circumstances which would render a plan of payment unworkable, shall order that the parolee or person on postrelease supervision reimburse the state for all or part of the expenditures by the state board of indigents' defense services to provide counsel and other defense services to the person. In determining the amount and method of payment of such sum, the prisoner review board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose. Such amount shall not exceed the amount claimed by appointed counsel on the payment voucher for indigents' defense services or the amount prescribed by the board of indigents' defense services reimbursement tables as provided in K.S.A. 22-4522, and amendments thereto, whichever is less, minus any previous payments for such services;

(6) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by a parole officer or a department of corrections enforcement, apprehension and investigation officer, at any time of the day or night, with or without a search warrant and with or without cause. Nothing in this subsection shall be construed to authorize such officers to conduct arbitrary or capricious searches or searches for the sole purpose of harassment; and

(7) shall order that the parolee or person on postrelease supervision agree in writing to be subject to searches of the person and the person's effects, vehicle, residence and property by any law enforcement officer based on reasonable suspicion of the person violating conditions of parole or postrelease supervision or reasonable suspicion of criminal activity.

(n) If the court which sentenced an inmate specified at the time of sentencing the amount and the recipient of any restitution ordered as a condition of parole or postrelease supervision, the prisoner review board shall order as a condition of parole or postrelease supervision that the inmate pay restitution in the amount and manner provided in the journal entry unless the board finds compelling circumstances which would render a plan of restitution unworkable.

(o) Whenever the prisoner review board grants the parole of an inmate, the board, within 14 days of the date of the decision to grant parole, shall give written notice of the decision to the county or district attorney of the county where the inmate was sentenced.

(p) When an inmate is to be released on postrelease supervision, the secretary, within 30 days prior to release, shall provide the county or district attorney of the county where the inmate was sentenced written notice of the release date.

(q) Inmates shall be released on postrelease supervision upon the termination of the prison portion of their sentence. Time served while on postrelease supervision will vest.

(r) An inmate who is allocated regular good time credits as provided in K.S.A. 22-3725, and amendments thereto, may receive meritorious good time credits in increments of not more than 90 days per meritorious act. These credits may be awarded by the secretary of corrections when an inmate has acted in a heroic or outstanding manner in coming to the assistance of another person in a life threatening situation, preventing injury or death to a person, preventing the destruction of property or taking actions which result in a financial savings to the state.

(s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and (d)(1)(E) shall be applied retroactively as provided in subsection (t).

(t) For offenders sentenced prior to July 1, 2014, who are eligible for modification of their postrelease supervision obligation, the department of corrections shall modify the period of postrelease supervision as provided for by this section:

(1) On or before September 1, 2013, for offenders convicted of:

(A) Severity levels 9 and 10 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity level 4 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) severity level 5 crimes on the sentencing guidelines grid for drug crimes committed on and after July 1, 2012;

(2) on or before November 1, 2013, for offenders convicted of:

(A) Severity levels 6, 7 and 8 crimes on the sentencing guidelines grid for nondrug crimes;

(B) level 3 crimes on the sentencing guidelines grid for drug crimes committed prior to July 1, 2012; and

(C) level 4 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012; and

(3) on or before January 1, 2014, for offenders convicted of:

(A) Severity levels 1, 2, 3, 4 and 5 crimes on the sentencing guidelines grid for nondrug crimes;

(B) severity levels 1 and 2 crimes on the sentencing guidelines grid for drug crimes committed at any time; and

(C) severity level 3 crimes on the sentencing guidelines grid for drug crimes committed on or after July 1, 2012.

(u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-4643, prior to its repeal, or K.S.A. 2016 Supp. 21-6627, and amendments thereto, for crimes committed on or after July 1, 2006, shall be placed on parole for life and shall not be discharged from supervision by the prisoner review board. When the board orders the parole of an inmate pursuant to this subsection, the board shall order as a condition of parole that the inmate be electronically monitored for the duration of the inmate's natural life.

(v) Whenever the prisoner review board orders a person to be electronically monitored pursuant to this section, or the court orders a person to be electronically monitored pursuant to K.S.A. 2016 Supp. 21-6604(r), and amendments thereto, the board shall order the person to reimburse the state for all or part of the cost of such monitoring. In determining the amount and method of payment of such sum, the board shall take account of the financial resources of the person and the nature of the burden that the payment of such sum will impose.

(w) (1) On and after July 1, 2012, for any inmate who is a sex offender, as defined in K.S.A. 22-4902, and amendments thereto, whenever the prisoner review board orders the parole of such inmate or establishes conditions for such inmate placed on postrelease supervision, such inmate shall agree in writing to not possess pornographic materials.

(A) As used in this subsection, "pornographic materials" means any obscene material or performance depicting sexual conduct, sexual contact or a sexual performance; and any visual depiction of sexually explicit conduct.

(B) As used in this subsection, all other terms have the meanings provided by K.S.A. 2016 Supp. 21-5510, and amendments thereto.

(2) The provisions of this subsection shall be applied retroactively to every sex offender, as defined in K.S.A. 22-4902, and amendments thereto, who is on parole or postrelease supervision on July 1, 2012. The prisoner review board shall obtain the written agreement required by this subsection from such offenders as soon as practicable.

Sec. 11. K.S.A. 2016 Supp. 38-2312, as amended by section 23 of 2017 House Substitute for Senate Bill No. 40, is hereby amended to read as follows: 38-2312. (a) Except as provided in subsections (b) and (c), any records or files specified in this code concerning a juvenile may be expunged upon application to a judge of the court of the county in which the records or files are maintained. The application for expungement may be made by the juvenile, if 18 years of age or older or, if the juvenile is less than 18 years of age, by the juvenile's parent or next friend.

(b) There shall be no expungement of records or files concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2016 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to its repeal, or K.S.A. 2016 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 2016 Supp. 21-5404, and amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2016 Supp. 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 2016 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or K.S.A. 2016 Supp. 21-5405(a)(3), and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs; K.S.A. 21-3502, prior to its repeal, or K.S.A. 2016 Supp. 21-5503, and amendments thereto, rape; K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto, indecent

solicitation of a child; K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto, aggravated indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto, sexual exploitation of a child; section 3(a) of 2017 House Substitute for Senate Bill No. 40, and amendments thereto, internet trading in child pornography; section 3(b) of 2017 House Substitute for Senate Bill No. 40, and amendments thereto, aggravated internet trading in child pornography; K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto, aggravated incest; K.S.A. 21-3608, prior to its repeal, or K.S.A. 2016 Supp. 21-5601(a), and amendments thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 2016 Supp. 21-5602, and amendments thereto, abuse of a child; or which would constitute an attempt to commit a violation of any of the offenses specified in this subsection.

(c) Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(d) When a petition for expungement is filed, the court shall set a date for a hearing on the petition and shall give notice thereof to the county or district attorney. The petition shall state: (1) The juvenile's full name; (2) the full name of the juvenile as reflected in the court record, if different than (1); (3) the juvenile's sex and date of birth; (4) the offense for which the juvenile was adjudicated; (5) the date of the trial; and (6) the identity of the trial court. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, ~~2015~~ 2017, through June 30, ~~2017~~ 2019, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. All petitions for expungement shall be docketed in the original action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(e) (1) After hearing, the court shall order the expungement of the records and files if the court finds that:

(A) (i) The juvenile has reached 23 years of age or that two years have elapsed since the final discharge;

(ii) one year has elapsed since the final discharge for an adjudication concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 2016 Supp. 21-6419, and amendments thereto; or

(iii) the juvenile is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child, the adjudication concerned acts committed by the juvenile as a result of such victimization, including, but not limited to, acts which, if committed by an adult, would constitute a violation of K.S.A. 2016 Supp. 21-6203 or 21-6419, and amendments thereto, and the hearing on expungement occurred on or after the date of final discharge. The provisions of this clause shall not allow an expungement of records or files concerning acts described in subsection (b);

(B) since the final discharge of the juvenile, the juvenile has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated as a juvenile offender under the revised Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and

- (C) the circumstances and behavior of the petitioner warrant expungement.
- (2) The court may require that all court costs, fees and restitution shall be paid.
- (f) Upon entry of an order expunging records or files, the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under this code the offense may be considered in determining the sentence to be imposed. The petitioner, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the juvenile. Inspection of the expunged files or records thereafter may be permitted by order of the court upon petition by the person who is the subject thereof. The inspection shall be limited to inspection by the person who is the subject of the files or records and the person's designees.
- (g) A certified copy of any order made pursuant to subsection (a) or (d) shall be sent to the Kansas bureau of investigation, which shall notify every juvenile or criminal justice agency which may possess records or files ordered to be expunged. If the agency fails to comply with the order within a reasonable time after its receipt, such agency may be adjudged in contempt of court and punished accordingly.
- (h) The court shall inform any juvenile who has been adjudicated a juvenile offender of the provisions of this section.
- (i) Nothing in this section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the juvenile.
- (j) Nothing in this section shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the revised Kansas juvenile justice code.
- (k) Whenever the records or files of any adjudication have been expunged under the provisions of this section, the custodian of the records or files of adjudication relating to that offense shall not disclose the existence of such records or files, except when requested by:
 - (1) The person whose record was expunged;
 - (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
 - (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
 - (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
 - (5) a person entitled to such information pursuant to the terms of the expungement order;
 - (6) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(7) the governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(8) the Kansas sentencing commission; or

(9) the Kansas bureau of investigation, for the purposes of:

(A) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(l) The provisions of subsection (k)(9) shall apply to all records created prior to, on and after July 1, 2011.

Sec. 12. K.S.A. 2016 Supp. 74-7305, as amended by section 14 of 2017 House Substitute for Senate Bill No. 101, is hereby amended to read as follows: 74-7305. (a) An application for compensation shall be made in the manner and form prescribed by the board.

(b) Compensation may not be awarded unless an application has been filed with the board within two years of the reporting of the incident to law enforcement officials if the victim was less than 16 years of age and the injury or death is the result of any of the following crimes: (1) Indecent liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(a), and amendments thereto; (2) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2016 Supp. 21-5506(b), and amendments thereto; (3) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2016 Supp. 21-5504(b), and amendments thereto; (4) enticement of a child as defined in K.S.A. 21-3509, prior to its repeal; (5) indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(a), and amendments thereto; (6) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2016 Supp. 21-5508(b), and amendments thereto; (7) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2016 Supp. 21-5510, and amendments thereto; (8) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2016 Supp. 21-5604(b), and amendments thereto; (9) human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(a), and amendments thereto; (10) aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2016 Supp. 21-5426(b), and amendments thereto; or (11) commercial sexual exploitation of a child as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto. Compensation for mental health counseling may be awarded if a claim is filed within two years of: (1) Testimony, to a claimant who is, or will be, required to testify in a sexually violent predator commitment, pursuant to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, of an offender who victimized the claimant or the victim on whose behalf the claim is made; or (2) notification, to a claimant who is notified that DNA testing of a sexual assault kit or other evidence has revealed a DNA profile of a suspected offender who victimized the claimant or the victim on whose behalf the claim

is made, or is notified of the identification of a suspected offender who victimized the claimant or the victim on whose behalf the claim is made, whichever occurs later. For all other incidents of criminally injurious conduct, compensation may not be awarded unless the claim has been filed with the board within two years after the injury or death upon which the claim is based. Compensation may not be awarded to a claimant who was the offender or an accomplice of the offender and may not be awarded to another person if the award would unjustly benefit the offender or accomplice.

(c) Compensation otherwise payable to a claimant shall be reduced or denied, to the extent, if any that the:

(1) Economic loss upon which the claimant's claim is based is recouped from other persons, including collateral sources;

(2) board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; or

(3) board deems reasonable, because the victim was likely engaging in, or attempting to engage in, unlawful activity at the time of the crime upon which the claim for compensation is based. This subsection shall not be construed to reduce or deny compensation to a victim of domestic abuse or sexual assault.

(d) Compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress as the result of economic loss otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain the claimant's customary level of health, safety and education for self and dependents without undue financial hardship. In making its determination of financial stress, the board shall consider all relevant factors, including:

(1) The number of claimant's dependents;

(2) the usual living expenses of the claimant and the claimant's family;

(3) the special needs of the claimant and the claimant's dependents;

(4) the claimant's income and potential earning capacity; and

(5) the claimant's resources.

(e) Compensation may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time.

(f) The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

(g) Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or K.S.A. 2016 Supp. 21-5604, and amendments thereto, or cases of sex offenses established in article 35 of chapter 21, of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2016 Supp. 21-6419 through 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2016 Supp. 21-5426, and amendments thereto, compensation may not be awarded if the economic loss is less than \$100.

(h) Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less.

(i) Compensation payable to a victim and to all other claimants sustaining

economic loss because of injury to or death of that victim may not exceed \$25,000 in the aggregate.

(j) Nothing in subsections (c)(2), (c)(3), (e) and (f) shall be construed to reduce or deny compensation to a victim of human trafficking or aggravated human trafficking, as defined in K.S.A. 2016 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined in K.S.A. 2016 Supp. 21-6422, and amendments thereto, who was 18 years of age or younger at the time the crime was committed and is otherwise qualified for compensation.

Sec. 13. K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 36, 8-135, as amended by section 1 of 2017 Senate Bill No. 89, 12-4112a, 12-4117, 12-4117b, 12-4120, as amended by section 5 of 2017 House Substitute for Senate Bill No. 40, 12-4120, as amended by section 7 of 2017 Senate Bill No. 89, 12-4516, 12-4516e, 21-6614, as amended by section 15 of 2017 House Substitute for Senate Bill No. 40, 21-6614, as amended by section 5 of 2017 House Bill No. 2041, 21-6614, as amended by section 3 of 2017 House Bill No. 2085, 22-2410, as amended by section 8 of 2017 Senate Bill No. 112, 22-2410, as amended by section 6 of 2017 House Bill No. 2041, 22-3717, as amended by section 20 of 2017 House Substitute for Senate Bill No. 40, 22-3717, as amended by section 10 of 2017 Senate Bill No. 112, 22-4903, 22-4903a, 38-2312, as amended by section 23 of 2017 House Substitute for Senate Bill No. 40, 38-2312, as amended by section 15 of 2017 House Bill No. 2041, 65-4202, as amended by section 3 of 2017 House Bill No. 2025, 65-4202, as amended by section 22 of 2017 Senate Substitute for House Bill No. 2055, 65-6111, 65-6111a, 74-7305, as amended by section 24 of 2017 House Substitute for Senate Bill No. 40, and 74-7305, as amended by section 14 of 2017 House Substitute for Senate Bill No. 101, are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after "Supp."; by striking lines 3 through 5; in line 6, by striking all before the period and inserting "8-135, as amended by section 1 of 2017 Senate Bill No. 36, 12-4117, 12-4120, as amended by section 7 of 2017 Senate Bill No. 89, 12-4516, 21-6614, as amended by section 15 of 2017 House Substitute for Senate Bill No. 40, 22-2410, as amended by section 8 of 2017 Senate Bill No. 112, 22-3717, as amended by section 10 of 2017 Senate Bill No. 112, 22-4903, 38-2312, as amended by section 23 of 2017 House Substitute for Senate Bill No. 40, 65-4202, as amended by section 22 of 2017 Senate Substitute for House Bill No. 2055, 65-6111 and 74-7305, as amended by section 14 of 2017 House Substitute for Senate Bill No. 101, and repealing the existing sections; also repealing K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 89, 12-4112a, 12-4117b, 12-4120, as amended by section 5 of 2017 House Substitute for Senate Bill No. 40, 12-4516e, 21-6614, as amended by section 5 of 2017 House Bill No. 2041, 21-6614, as amended by section 3 of 2017 House Bill No. 2085, 22-2410, as amended by section 6 of 2017 House Bill No. 2041, 22-3717, as amended by section 20 of 2017 House Substitute for Senate Bill No. 40, 22-4903a, 38-2312, as amended by section 15 of 2017 House Bill No. 2041, 65-4202, as amended by section 3 of 2017 House Bill No. 2025, 65-6111a and 74-7305, as amended by section 24 of 2017 House Substitute for Senate Bill No. 40"; and the bill be passed as amended.

REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

Request No. 105, by Representative Ralph, congratulating Mark A. Vierthaler on his acceptance in the Cocktail Apprentice Program for Tales of the Cocktail 2017;

Request No. 106, by Representative Lusker, congratulating Girard Lady Trojans Softball Team on winning the 4A State Softball Championship;

Request No. 107, by Representative Phelps, congratulating John T. Bird for receiving the Kansas Bar Association's 2017 Outstanding Service Award;

Request No. 108, by Representative Phelps, commending the Hays Kiwanis Club International for making Hays an American Flag City through the "Hays Kiwanis Club Flag Project";

Request No. 109, by Representative Finney, congratulating Mary L. Faucette on her 87th birthday;

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hineman, the committee report was adopted.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

REPORT ON ENGROSSED BILLS

S Sub for HB 2278 reported correctly engrossed June 2, 2017.

REPORT ON ENROLLED BILLS

S Sub for HB 2132 reported correctly enrolled, properly signed and presented to the Governor on June 2, 2017.

REPORT ON ENROLLED RESOLUTIONS

HR 6036 reported correctly enrolled and properly signed on June 2, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Saturday, June 3, 2017.

Journal of the House

EIGHTY-FIRST DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Saturday, June 3, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 111 members present.

Reps. Barker, Brim, Carpenter, Cox, Henderson, Jacobs, Johnson, Kuether, Parker, A. Smith, Sutton, Whitmer, Wilson and Winn were excused on excused absence by the Speaker.

Present later: Reps. Cox, Henderson, Johnson, Kuether and Winn.

Prayer by Rep. Phelps:

Heavenly Father,
The bills are in and the debates
are nearly over.
Each member of this body comes into this room
with their own ideas, dreams, thoughts and solutions.
Some here will be the ones to break new ground;
some will plant the seeds.
Others will nurture the growth,
while others will gather the harvest.
Help each representative find fulfillment
In his or her role -
knowing that each part is necessary
for the completion of the whole.
In Christ's name I pray, Amen.

The Pledge of Allegiance was led by Rep. Schroeder.

COMMUNICATIONS FROM STATE OFFICERS

From Ruth Glover, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004 (13), the Annual Report for Fiscal Year 2016.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

On motion of Rep. Hineman, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2079**.

The Senate adopts the Conference Committee report on **HB 2280**.

Announcing passage of **HB 2407**, as amended, **HB 2409**, as amended.

REPORT ON ENROLLED BILLS

HB 2092 reported correctly enrolled, properly signed and presented to the Governor on June 3, 2017.

On motion of Rep. Hineman, the House adjourned until 2:00 p.m., Sunday, June 4, 2017.

Journal of the House

EIGHTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Sunday, June 4, 2017, 2:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 119 members present.

Reps. Barker, Carlin, Henderson, Highland, Jacobs and Whitmer were excused on excused absence by the Speaker.

Present later: Reps. Carlin and Henderson.

Prayer by Chaplain Brubaker:

Heavenly Father,
thank You for this day and for how
You watch over each one of us.
Well, it would appear as though our oxen are in the ditch,
for here we are gathered in this place on Your Day, –
Pentecost Day, no less,
working to find solutions to the matters at hand.
Send your Holy Spirit and sweep over this place, please.
Lord, our leaders do need to have some answers soon.
It is difficult because each one is created so differently,
thus have differing ideas and opinions.
In addition, each represent many different types of people
with differing ideas and opinions.
And yet, the task before them is to come up with solutions
that will benefit everyone.
This is something only You can accomplish
and only if they allow You to lead and guide.
So teach them your ways, O Lord,
and give them an understanding heart;
may they remember that the Lord bestows favor and honor;
no good thing does he withhold from those whose walk is blameless.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Good.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

HB 2431, AN ACT concerning taxation; relating to income tax, rates, credits, itemized

deductions and determination of Kansas adjusted gross income; sales and compensating use tax, rates, food and food ingredients; property tax, homestead refunds; motor fuels tax, rates; cigarettes, rate of tax; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117, 79-32,120, 79-32,138, 79-32,271, 79-3310, 79-3310c, 79-3311, 79-3312, 79-3492b, 79-34,118, 79-34,141, 79-34,142, 79-3602, 79-3603, 79-3620, 79-3703, 79-3710, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HB 2432, AN ACT concerning taxation; relating to income tax, rates, credits, deductions and determination of Kansas adjusted gross income; amending K.S.A. 2016 Supp. 32-1438, 39-7,132, 40-2246, 65-7107, 74-8206, 74-8304, 74-8316, 74-8401, 79-32,110, 79-32,117, 79-32,119, 79-32,120, 79-32,143, 79-32,143a, 79-32,182b, 79-32,190, 79-32,200, 79-32,201, 79-32,204, 79-32,207, 79-32,210, 79-32,212, 79-32,222, 79-32,271, 79-4501, 79-4502, 79-4508, 79-4509, 79-4511 and 79-4522 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HB 2433, AN ACT concerning taxation; relating to income tax, credits, deductions and rates; amending K.S.A. 2016 Supp. 79-32,110, 79-32,117 and 79-32,120 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

HB 2434, AN ACT concerning income taxation; relating to rates, credits, deductions and determination of Kansas adjusted gross income; amending K.S.A. 2016 Supp. 74-50,132, 74-50,208, 74-8133, 74-99c09, 79-32,105, 79-32,110, 79-32,117, 79-32,119, 79-32,120, 79-32,121, 79-32,153, 79-32,160a, 79-32,196, 79-32,202a, 79-32,205, 79-32,211, 79-32,258, 79-32,266, 79-32,267 and 79-32,271 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, by Committee on Taxation.

MESSAGES FROM THE SENATE

The Senate accounced the appointment of Senator Denning to replace Senator Longbine, Senator McGinn to replace Senator Billinger, and Senator Hensley to replace Senator Rogers as conferees on **SB 19**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2079**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2079** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments as follows:

On page 1, by striking all in lines 6 through 34;

On page 2, by striking all in lines 1 through 5; following line 5, by inserting:

"New Section 1. (a) An eligible provider, as described in subsection (b), in addition to the rate of payment that the provider would otherwise receive for medicaid ground emergency medical transportation services, shall receive supplemental medicaid

reimbursement to the extent provided by law.

(b) A provider shall be eligible for supplemental reimbursement only if the provider meets the following conditions during the reporting period:

(1) Provides ground emergency medical transportation services to medicaid beneficiaries;

(2) is a provider that is enrolled as a medicaid provider for the period being claimed; and

(3) is owned or operated by the state, a political subdivision or local government, that employs or contracts with persons or providers who are licensed or permitted to provide emergency medical services in the state of Kansas, including hospitals and private entities to the extent permissible under federal law.

(c) An eligible provider's supplemental reimbursement pursuant to this section shall be calculated and paid as follows:

(1) The supplemental reimbursement to an eligible provider, as described in subsection (b), shall be equal to the amount of federal financial participation received as a result of the claims submitted pursuant to subsection (f)(2);

(2) in no instance may the amount certified pursuant to subsection (e)(1), when combined with the amount received from all other sources of reimbursement from the medicaid program, exceed or be less than 100% of actual costs, as determined pursuant to the medicaid state plan, for ground emergency medical transportation services; and

(3) the supplemental medicaid reimbursement provided by this section must be distributed exclusively to eligible providers under a payment methodology based on ground emergency medical transportation services provided to medicaid beneficiaries by eligible providers on a per-transport basis or other federally permissible basis. The department of health and environment shall obtain approval from the federal centers for medicare and medicaid services for the payment methodology to be utilized, and shall not make any payment pursuant to this section prior to obtaining that approval.

(d) (1) It is the legislature's intent in enacting this section to provide the supplemental reimbursement described in this section without any expenditure from the state general fund. An eligible provider, as a condition of receiving supplemental reimbursement pursuant to this section, shall enter into, and maintain, an agreement with the department for the purposes of implementing this section and reimbursing the department for the costs of administering this section.

(2) The nonfederal share of the supplemental reimbursement submitted to the federal centers for medicare and medicaid services for purposes of claiming federal financial participation shall be paid only with funds from the governmental entities described in subsection (b)(3) and certified to the state as provided in subsection (e).

(e) Participation in the program by an eligible provider described in this section is voluntary. If an applicable governmental entity elects to seek supplemental reimbursement pursuant to this section on behalf of an eligible provider, the governmental entity shall do the following:

(1) Certify, in conformity with the requirements of 42 C.F.R. § 433.51, that the claimed expenditures for the ground emergency medical transportation services are eligible for federal financial participation;

(2) provide evidence supporting the certification as specified by the department;

(3) submit data as specified by the department to determine the appropriate amounts to claim as expenditures qualifying for federal financial participation; and

(4) keep, maintain, and have readily retrievable any records specified by the department to fully disclose reimbursement amounts to which the eligible provider is entitled, and any other records required by the federal centers for medicare and medicaid services.

(f) The department shall promptly seek any necessary federal approvals for the implementation of this section. The department may limit the program to those costs that are allowable expenditures under title XIX of the federal social security act, 42 U.S.C. § 1396 et seq. If federal approval is not obtained for implementation of this section, this section shall not be implemented.

(1) The department shall submit claims for federal financial participation for the expenditures for the services described in subsection (e) that are allowable expenditures under federal law.

(2) The department shall submit any necessary materials to the federal government to provide assurances that claims for federal financial participation will include only those expenditures that are allowable under federal law. The department may utilize intergovernmental transfers or certified public expenditures to implement this section subject to the same provisions and requirements of section 2, and amendments thereto.

New Sec. 2. (a) The department of health and environment shall design and implement, in consultation and coordination with eligible providers as described in subsection (b), an intergovernmental transfer program relating to medicaid managed care, ground emergency medical transport services and those services provided by emergency medical services personnel at the emergency medical responder, emergency medical technician, advanced emergency medical technician and paramedic levels in the pre-stabilization and preparation for transport.

(b) A provider shall be eligible to transfer public funds to the state pursuant to this section only if the provider meets both of the following conditions in an applicable reporting period:

(1) Provides ground emergency medical transport services to medicaid managed care enrollees pursuant to a contract or other arrangement with a medicaid managed care plan; and

(2) is owned or operated by the state, a political subdivision or local government that employs or contracts with persons or providers who are licensed or permitted to provide emergency medical services in the state of Kansas, including hospitals and private entities to the extent permissible under federal law.

(c) To the extent intergovernmental transfers are voluntarily made by, and accepted from, an eligible provider described in subsection (b), or a governmental entity affiliated with an eligible provider, the department shall make increased capitation payments to applicable medicaid managed care plans.

(1) The increased capitation payments made pursuant to this section shall be, at a minimum, in actuarially determined amounts to the extent permissible under federal law.

(2) Except as provided in subsection (f), funds associated with intergovernmental transfers made and accepted pursuant to this section shall be used to fund additional payments to medicaid managed care plans.

(3) Medicaid managed care plans shall enter into contracts or contract amendments with eligible providers for the disbursement of increased capitation payments made pursuant to this section.

(d) The intergovernmental transfer program developed pursuant to this section shall be implemented on the date federal approval is obtained, and only to the extent intergovernmental transfers from the eligible provider, or the governmental entity with which it is affiliated, are provided for this purpose. To the extent permissible under federal law, the department shall implement the intergovernmental transfer program and increased capitation payments under this section on a retroactive basis as approved by the federal centers for medicare and medicaid services.

(e) Participation in the intergovernmental transfers under this section is voluntary on the part of the transferring entities for purposes of all applicable federal laws.

(f) This section shall be implemented without any additional expenditure from the state general fund. As a condition of participation under this section, each eligible provider as described in subsection (b), or the governmental entity affiliated with an eligible provider, shall agree to reimburse the department for any costs associated with implementing this section. Intergovernmental transfers described in this section are subject to an administration fee of up to 20% of the non-federal share paid to the department and shall be allowed to count as a cost of providing the services not to exceed 120% of the total amount.

(g) As a condition of participation under this section, medicaid managed care plans, eligible providers as described in subsection (b), and governmental entities affiliated with eligible providers shall agree to comply with any requests for information or similar data requirements imposed by the department for purposes of obtaining supporting documentation necessary to claim federal funds or to obtain federal approvals.

(h) This section shall be implemented only if and to the extent federal financial participation is available and is not otherwise jeopardized and any necessary federal approvals have been obtained.

(i) To the extent that the department determines that the payments made pursuant to this section do not comply with federal medicaid requirements, the department may return or not accept an intergovernmental transfer and may adjust payments pursuant to this section as necessary to comply with federal medicaid requirements.

(j) The state of Kansas and the department of health and environment shall implement whatever program the federal centers for medicare and medicaid services approves for use in Kansas under sections 1 and 2, and amendments thereto.

New Sec. 3. There is hereby established in the state treasury the community mental health center improvement fund. All moneys credited to the community mental health center improvement fund shall be used by the Kansas department for aging and disability services only for purposes related to community mental health centers. All expenditures from the community mental health center improvement fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services or the secretary's designee.

Sec. 4. K.S.A. 2016 Supp. 40-3213 is hereby amended to read as follows: 40-3213. (a) Every health maintenance organization and medicare provider organization subject to this act shall pay to the commissioner the following fees:

- (1) For filing an application for a certificate of authority, \$150;
- (2) for filing each annual report, \$50;
- (3) for filing an amendment to the certificate of authority, \$10.

(b) Every health maintenance organization subject to this act shall pay annually to the commissioner at the time such organization files its annual report, a privilege fee in an amount equal to ~~1% per annum~~ the following percentages of the total of all premiums, subscription charges or any other term ~~which that~~ may be used to describe the charges made by such organization to enrollees, ~~except: 3.31% during the reporting period beginning January 1, 2015, and ending December 31, 2017, the privilege fee shall be 3.31%; and 5.77% on and after January 1, 2018, the privilege fee shall be 2%.~~ In such computations all such organizations shall be entitled to deduct therefrom any premiums or subscription charges returned on account of cancellations and dividends returned to enrollees. If the commissioner shall determine at any time that the application of the privilege fee, or a change in the rate of the privilege fee, would cause a denial of, reduction in or elimination of federal financial assistance to the state or to any health maintenance organization subject to this act, the commissioner is hereby authorized to terminate the operation of such privilege fee or the change in such privilege fee.

(c) For the purpose of insuring the collection of the privilege fee provided for by subsection (b), every health maintenance organization subject to this act and required by subsection (b) to pay such privilege fee shall at the time it files its annual report, as required by K.S.A. 40-3220, and amendments thereto, make a return, generated by or at the direction of its chief officer or principal managing director, under penalty of K.S.A. 2016 Supp. 21-5824, and amendments thereto, to the commissioner, stating the amount of all premiums, assessments and charges received by the health maintenance organization, whether in cash or notes, during the year ending on the last day of the preceding calendar year. Upon the receipt of such returns the commissioner of insurance shall verify the same such returns and assess reconcile the fees pursuant to subsection (f) upon such organization on the basis and at the rate provided ~~herein and such fees shall thereupon become due and payable in this section.~~

(d) Premiums or other charges received by an insurance company from the operation of a health maintenance organization subject to this act shall not be subject to any fee or tax imposed under the provisions of K.S.A. 40-252, and amendments thereto.

(e) Fees charged under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of ~~the state general fund, except during the period beginning July 1, 2015, and ending on June 30, 2018, such deposit shall be to the credit of the~~ medical assistance fee fund created by K.S.A. 2016 Supp. 40-3236, and amendments thereto.

(f) (1) On and after January 1, 2018, in addition to any other filing or return required by this section, each health maintenance organization shall submit a report to the commissioner on or before March 31 and September 30 of each year containing an estimate of the total amount of all premiums, subscription charges or any other term that may be used to describe the charges made by such organization to enrollees that the organization expects to collect during the current calendar year. Upon filing each March 31 report, the organization shall submit payment equal to ½ of the privilege fee that would be assessed by the commissioner for the current calendar year based upon the organization's reported estimate. Upon filing each September 30 report, the organization shall submit payment equal to the balance of the privilege fee that would be assessed by

the commissioner for the current calendar year based upon the organization's reported estimates.

(2) Any amount of privilege fees actually owed by a health maintenance organization during any calendar year in excess of estimated privilege fees paid shall be assessed by the commissioner and shall be due and payable upon issuance of such assessment.

(3) Any amount of estimated privilege fees paid by a health maintenance organization during any calendar year in excess of privilege fees actually owed shall be reconciled when the commissioner assesses privilege fees in the ensuing calendar year. The commissioner shall credit such excess amount against future privilege fee assessments. Any such excess amount paid by a health maintenance organization that is no longer doing business in Kansas and that no longer has a duty to pay the privilege fee shall be refunded by the commissioner from funds appropriated by the legislature for such purpose.

Sec. 5. K.S.A. 2016 Supp. 40-3236 is hereby amended to read as follows: 40-3236.

(a) There is hereby created in the state treasury the medical assistance fee fund. The commissioner of insurance shall remit to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, all moneys collected or received by the commissioner from health maintenance organizations and medicare provider organizations for the fees specified in K.S.A. 40-3213, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the medical assistance fee fund.

(b)(1) Moneys in the medical assistance fee fund shall be expended subject to the following priorities:

(A) First, to restore any reductions initiated during calendar year 2016 to provider reimbursement rates for state medicaid services;

(B) second, on July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount of \$3,500,000 to the community mental health center improvement fund created by section 3, and amendments thereto, and on July 1 of each year thereafter, or as soon after each such date as moneys are available, the director of accounts and reports shall transfer the amount of \$5,000,000 to the community mental health center improvement fund established by section 3, and amendments thereto;

(C) third, to transfer moneys to the Kansas newborn screening fund pursuant to K.S.A. 65-180, and amendments thereto; and

(D) fourth, if any moneys remain, for the purpose of medicaid medical assistance payments.

(2) All expenditures from the medical assistance fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(c) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the medical assistance fee fund interest earnings based on:

(1) The average daily balance of moneys in the medical ~~programs~~ assistance fee fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding

month.

(d) The medical assistance fee fund shall be used for the purposes set forth in this act and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this act, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(e) The secretary of health and environment shall prepare and deliver to the legislature on or before the first day of each regular legislative session; a report ~~which~~ that summarizes all expenditures from the medical assistance fee fund, fund revenues and recommendations regarding the adequacy of the fund to support necessary medical assistance programs.

~~(f) The provisions of this section shall expire on July 1, 2018.~~

Sec. 6. K.S.A. 2016 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians, hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal

poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled

"Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund ~~which that~~ shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All expenditures from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee. ~~Each month On July 1 of each year,~~ the director of accounts and reports shall determine the amount credited to the ~~state general medical assistance fee~~ fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ~~preceding month ensuing~~ fiscal year as certified by the secretary of health and environment or the secretary's designee; to the Kansas newborn screening fund, except that such amount shall not exceed ~~the amount to be credited to the state general fund pursuant to K.S.A. 40-3213, and amendments thereto~~ \$2,500,000 in any one fiscal year.

Sec. 7. K.S.A. 2016 Supp. 40-3213, 40-3236 and 65-180 are hereby repealed. ";

Also on page 2, in line 7, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "health and healthcare; providing for reimbursement to eligible providers for medicaid ground emergency medical transportation services; relating to health maintenance organizations; privilege fees; rate; disposition of moneys; extending the medical assistance fee fund; establishing the community mental health center improvement fund; amending K.S.A. 2016 Supp. 40-3213, 40-3236 and 65-180 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

RICK BILLINGER

LAURA KELLY

Conferees on part of Senate

TROY WAYMASTER

ERIN DAVIS

KATHY WOLFE MOORE

Conferees on part of House

On motion of Rep. Waymaster, the conference committee report on **HB 2079** was adopted.

On roll call, the vote was: Yeas 101; Nays 18; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Alford, Arnberger, Aurand, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carmichael, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Huebert, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, S. Swanson, Terrell, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, Burris, B. Carpenter, Claeys, Garber, Hawkins, Helgerson, Houser, K. Jones, Landwehr, Osterman, R. Powell, Resman, Schwab, Sloan, Sutton, Tarwater, Vickrey.

Present but not voting: None.

Absent or not voting: Barker, Carlin, Henderson, Highland, Jacobs, Whitmer.

EXPLANATIONS OF VOTE

MR. SPEAKER: I recognize the need to fully reimburse Medicaid providers, this isn't the way to do it. HMO's premiums will go up considerably. This is an unfair tax on people who already pay too much for health insurance. The HMOs will be priced out of the market and one company will be forced to unfairly pay other states and be less competitive, costing Kansas jobs. This is a vote to raise health insurance costs for Kansans. My constituents will know I voted to keep health insurance premiums low not voted them to be raised unfairly. Find another way to fund Medicaid. Mr. Speaker, I vote no on **HB 2079**. — SEAN TARWATER, KEVIN JONES, DANIEL R. HAWKINS

MR. SPEAKER: I vote No on **HB 2079** because the HMO premium tax increase will result in HMOs leaving the state. Restoring the 2016 4% cut to Medicaid providers is appropriate, but basing the availability of funds on a hope and a prayer that HMOs will stay when they cannot cover their costs and make a profit, is fiscally irresponsible. — TOM SLOAN

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

The House stood at ease until the sound of the gavel.

Speaker pro tem Schwab called the House to order.

On motion of Rep. Hineman, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 19**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 19** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

And your committee on conference recommends the adoption of this report.

LARRY CAMPBELL

CLAY AURAND

Conferees on part of House

JIM DENNING

CAROLYN MCGINN

Conferees on part of Senate

On motion of Rep. Campbell the conference committee report on **SB 19** to agree to disagree, was adopted.

Speaker pro tem Schwab thereupon appointed Reps. Campbell, Aurand and Trimmer as second conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 7:30 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 19**, and has appointed Senators Denning, McGinn and Hensley as second conferees on the part of the Senate.

REPORT ON ENGROSSED BILLS

HB 2079 reported correctly reengrossed June 4, 2017.

On motion of Rep. Hineman, the House adjourned until 8:00 a.m., Monday, June 5, 2017.

Journal of the House

EIGHTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, June 5, 2017, 8:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 119 members present.

Reps. Barker, Becker, Highland, Houser, Rahjes and Sawyer were excused on excused absence by the Speaker.

Present later: Reps. Becker, Houser, Rahjes and Sawyer.

Excused later: Reps. Mason and Thimesch.

Prayer by Chaplain Brubaker:

Almighty God,
On this early morning at the beginning of the week,
I call out as did the Psalmist:
“Give ear to my words, O Lord,
consider my sighing.
Listen to my cry for help,
my King and my God,
for to you I pray.
In the morning, O Lord, you hear my voice;
in the morning I lay my requests before you
and wait in expectation.”
Lord, the cry that I give out this morning
and wait for Your response,
is that You will give our leaders the answers
needed in order to accomplish what needs to be done.
In Christ’s Name I pray, Amen.

The Pledge of Allegiance was led by Rep. E. Smith.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committee as indicated:

Taxation: **HB 2431, HB 2432, HB 2433, HB 2434.**

On motion of Rep. Hineman, the House recessed until 11:00 a.m.

LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE GOVERNOR

HB 2102, HB 2128 approved on June 2, 2017

MESSAGES FROM THE SENATE

Announcing passage of **HB 2002**, as amended by **Senate Substitute for HB 2002**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2407, HB 2409**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Sutton, the House nonconcurred in Senate amendments to **HB 2407** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Sutton, Weber and Burroughs as conferees on the part of the House.

On motion of Rep. Sutton, the House nonconcurred in Senate amendments to **HB 2409** and asked for a conference.

Speaker pro tem Schwab thereupon appointed Reps. Sutton, Weber and Burroughs as conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 12:45 p.m.

EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 19** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 5 through 36;

By striking all on pages 2 through 14;

On page 15, by striking lines 1 through 26; following line 26, by inserting:
"Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality)
(652-00-1000-0053).....\$12,586,611

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

State foundation aid (652-00-1000-0820).....\$302,177,944

Provided, That any unencumbered balance in the block grants to USDs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Mentor teacher (652-00-1000-0440).....\$800,000

Professional development.....\$1,700,000

Information technology education opportunities (652-00-1000-0600).....\$500,000

Kansas reading success (652-00-1000-0070).....\$2,100,000

Discretionary grants (652-00-1000-0400).....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2018, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: And provided further, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance (652-00-1000-0320).....\$2,510,486

School safety hotline (652-00-1000-0230).....\$10,000

KPERS – employer contributions (652-00-1000-0100).....\$19,707,072

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....\$110,000

School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....\$4,771,500

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Governor's teaching excellence scholarships and awards (652-00-1000-0770).....\$327,500

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).

Incentive for technical education (652-00-1000-0110).....\$50,000

Provided, That, on July 1, 2017, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the department of education shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2018 is less than the amount of moneys to be awarded to such school districts, the department of education shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393-7000).....No limit
Provided, That, of the moneys appropriated in the state school district finance fund, an amount not to exceed \$480,920,922 shall be distributed for supplemental state aid, an amount not to exceed \$435,980,455 shall be distributed for special education services aid, an amount not to exceed \$1,739,046,715 shall be distributed for state foundation aid and an amount not to exceed \$261,569,312 shall be distributed for KPERS – employers contributions – USDs: *Provided however*, That expenditures shall not be made from the state school district finance fund for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from the state school district finance fund for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in the state school district finance fund, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

School district capital improvements fund (652-00-2880-2880).....No limit
Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

Mineral production education fund (652-00-7669-7669).....No limit
 School district capital outlay state aid fund.....No limit
 Conversion of materials and equipment fund (652-00-2420-2020).....No limit
 State safety fund (652-00-2538-2030).....No limit
Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2018 as soon as moneys are available.

School bus safety fund (652-00-2532-2300).....No limit
 Motorcycle safety fund (652-00-2633-2050).....No limit
 Federal indirect cost reimbursement fund (652-00-2312-2200).....No limit
 Teacher and administrator fee fund (652-00-2728-2700).....No limit
 Food assistance – federal fund (652-00-3230-3020).....No limit
 Food assistance – school breakfast program – federal fund (652-00-3529-3490).....No limit
 Food assistance – national school lunch program – federal fund (652-00-3530-3500).....No limit

Food assistance – child and adult care food program – federal fund (652-00-3531-3510).....	No limit
Community-based child abuse prevention – federal fund (652-00-3319-7400).....	No limit
Family and children investment fund (652-00-7375).....	No limit
Elementary and secondary school aid – federal fund (652-00-3233-3040).....	No limit
Educationally deprived children – state operations – federal fund (652-00-3131-3130).....	No limit
Elementary and secondary school – educationally deprived children – LEA's fund (652-00-3532-3520).....	No limit
Education of handicapped children fund – federal (652-00-3234-3050).....	No limit
Education of handicapped children fund – state operations – federal fund (652-00-3534-3540).....	No limit
Education of handicapped children fund – preschool – federal fund (652-00-3535-3550).....	No limit
Education of handicapped children fund – preschool state operations – federal (652-00-3536-3560).....	No limit
Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537-3570).....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538-3580).....	No limit
Vocational education title II – federal fund (652-00-3539-3590).....	No limit
Vocational education title II – federal fund – state operations (652-00-3540-3600).....	No limit
Educational research grants and projects fund (652-00-3592-3070).....	No limit
Inservice education workshop fee fund (652-00-2230-2010).....	No limit
<i>Provided</i> , That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: <i>Provided further</i> , That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i> , That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i> , That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.	
Private donations, gifts, grants and bequests fund (652-00-7307-5000).....	No limit
Reimbursement for services fund (652-00-3056-3200).....	No limit
Communities in schools program fund (652-00-2221-2400).....	No limit

Governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).....No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

State grants for improving teacher quality – federal fund (652-00-3526-3860).....No limit

State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....No limit

21st century community learning centers – federal fund (652-00-3519-3890).....No limit

State assessments – federal fund (652-00-3520-3800).....No limit

Rural and low-income schools program – federal fund (652-00-3521-3810).....No limit

TANF children's programs – federal fund (652-00-3323-0530).....No limit

ESSA – student support academic enrichment – federal fund.....No limit

Language assistance state grants – federal fund (652-00-3522-3820).....No limit

Service clearing fund (652-00-2869-2800).....No limit

Helping schools license plate program fund (652-00-2606-2600).....No limit

General state aid transportation weighting – state highway fund (652-00-2222-2222).....No limit

Provided, That on July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

Special education transportation weighting – state highway fund (652-00-2223-2223).....No limit

Provided, That on July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the director of accounts and reports shall transfer \$2,500,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

Career and technical education transportation – state highway fund (652-00-2139-2139).....No limit

Provided, That on July 1, 2017, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of education.

Local school district contribution program checkoff fund.....No limit

Educational technology coordinator fund (652-00-2157-2157).....No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2018, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2018 in order to assess the cost effectiveness of the position of educational technology coordinator.

School district extraordinary declining enrollment fund\$2,593,452

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2018, the following:

Parent education program (652-00-2000-2510).....\$7,237,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 65% of the grant.

Children's cabinet accountability fund (652-00-2000-2402).....\$375,000

Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

CIF grants (652-00-2000-2408).....\$15,782,638

Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Quality initiative infants and toddlers (652-00-2000-2420).....\$430,466

Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Early childhood block grant autism diagnosis.....\$43,047

Provided, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(d) On July 1, 2017, or as soon thereafter as moneys are available, notwithstanding

the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the Kansas department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2018, and June 30, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2017, and quarterly thereafter, the director of accounts and reports shall transfer \$56,250 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2017, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2018, the following:

 KPERS – school employer contribution (652-00-1700-1700).....\$39,883,000

(i) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$89,323 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*, That such information and data shall be available by the department of education by the end of the fiscal year 2018.

(j) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2018, the following:

 Children's cabinet administration.....\$248,206

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....\$12,685,361

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

State foundation aid (652-00-1000-0820).....\$299,211,683

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Mentor teacher (652-00-1000-0440).....\$800,000

Professional development.....\$1,700,000

Information technology education opportunities (652-00-1000-0600).....\$500,000

Kansas reading success (652-00-1000-0070).....\$2,100,000

Discretionary grants (652-00-1000-0400).....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2019, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance (652-00-1000-0320).....\$2,510,486

School safety hotline (652-00-1000-0230).....\$10,000

KPERS – employer contributions (652-00-1000-0100).....\$26,885,049

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....\$110,000
 School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....\$4,771,500

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Governor's teaching excellence scholarships and awards (652-00-1000-0770).....\$327,500

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).

Incentive for technical education (652-00-1000-0110).....\$50,000

Provided, That, on July 1, 2018, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the department of education shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2019 is less than the amount of moneys to be awarded to such school districts, the department of education shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393-7000).....No limit
Provided, That, of the moneys appropriated in the state school district finance fund, an amount not to exceed \$486,109,284 shall be distributed for supplemental state aid, an amount not to exceed \$447,980,455 shall be distributed for special education services aid, an amount not to exceed \$1,796,086,499 shall be distributed for state foundation aid and an amount not to exceed \$259,742,946 shall be distributed for KPERS – employers contributions – USDs: *Provided however*, That expenditures shall not be made from the state school district finance fund for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from the state school district finance fund for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in the state school district finance fund, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

School district capital improvements fund (652-00-2880-2880).....No limit
Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

Mineral production education fund (652-00-7669-7669).....No limit
 School district capital outlay state aid fund.....No limit
 Conversion of materials and equipment fund (652-00-2420-2020).....No limit
 State safety fund (652-00-2538-2030).....No limit
 School bus safety fund (652-00-2532-2300).....No limit
 Motorcycle safety fund (652-00-2633-2050).....No limit
 Federal indirect cost reimbursement fund (652-00-2312-2200).....No limit
 Teacher and administrator fee fund (652-00-2728-2700).....No limit
 Food assistance – federal fund (652-00-3230-3020).....No limit
 Food assistance – school breakfast program – federal fund (652-00-3529-3490).....No limit
 Food assistance – national school lunch program – federal fund (652-00-3530-3500).....No limit
 Food assistance – child and adult care food program – federal fund (652-00-3531-3510).....No limit
 Community-based child abuse prevention – federal fund (652-00-3319-7400).....No limit
 Family and children investment fund (652-00-7375).....No limit
 Elementary and secondary school aid – federal fund (652-00-3233-3040).....No limit

Educationally deprived children – state operations – federal fund (652-00-3131-3130).....No limit
 Elementary and secondary school – educationally deprived children – LEA's fund (652-00-3532-3520).....No limit
 Education of handicapped children fund – federal (652-00-3234-3050).....No limit
 Education of handicapped children fund – state operations – federal fund (652-00-3534-3540).....No limit
 Education of handicapped children fund – preschool – federal fund (652-00-3535-3550).....No limit
 Education of handicapped children fund – preschool state operations – federal (652-00-3536-3560).....No limit
 Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537-3570).....No limit
 Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538-3580)No limit
 Vocational education title II – federal fund (652-00-3539-3590).....No limit
 Vocational education title II – federal fund – state operations (652-00-3540-3600).....No limit
 Educational research grants and projects fund (652-00-3592-3070).....No limit
 Inservice education workshop fee fund (652-00-2230-2010).....No limit
Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Private donations, gifts, grants and bequests fund (652-00-7307-5000).....No limit
 Reimbursement for services fund (652-00-3056-3200).....No limit
 Communities in schools program fund (652-00-2221-2400).....No limit
 Governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).....No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships

program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

- State grants for improving teacher quality – federal fund (652-00-3526-3860).....No limit
- State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....No limit
- 21st century community learning centers – federal fund (652-00-3519-3890).....No limit
- State assessments – federal fund (652-00-3520-3800).....No limit
- Rural and low-income schools program – federal fund (652-00-3521-3810).....No limit
- TANF children's programs – federal fund (652-00-3323-0530).....No limit
- ESSA – student support academic enrichment – federal fund.....No limit
- Language assistance state grants – federal fund (652-00-3522-3820).....No limit
- Service clearing fund (652-00-2869-2800).....No limit
- Helping schools license plate program fund (652-00-2606-2600).....No limit
- General state aid transportation weighting – state highway fund (652-00-2222-2222).....No limit

Provided, That on July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

- Special education transportation weighting – state highway fund (652-00-2223-2223).....No limit

Provided, That on July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the director of accounts and reports shall transfer \$2,500,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

- Career and technical education transportation – state highway fund (652-00-2139-2139).....No limit

Provided, That on July 1, 2018, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of education.

- Local school district contribution program checkoff fund.....No limit
- Educational technology coordinator fund (652-00-2157-2157).....No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2019, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2019 in order to assess the cost effectiveness of the position of educational technology coordinator.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2019, the following: Parent education program (652-00-2000-2510).....\$7,237,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 65% of the grant.

Children's cabinet accountability fund (652-00-2000-2402).....\$375,000
Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

CIF grants (652-00-2000-2408).....\$15,782,786
Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Quality initiative infants and toddlers (652-00-2000-2420).....\$430,466
Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Early childhood block grant autism diagnosis.....\$43,047
Provided, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(d) On July 1, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the Kansas department for children and families to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2019, and June 30, 2019, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2018, and quarterly thereafter, the director of accounts and reports shall transfer \$56,250 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2018, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2019, the following:

 KPERS – school employer contribution (652-00-1700-1700).....\$40,084,000

(i) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$89,323 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*, That such information and data shall be available by the department of education by the end of the fiscal year 2019.

(j) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2019, the following:

 Children's cabinet administration.....\$248,571

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

New Sec. 3. Sections 3 through 48, and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

New Sec. 4. As used in the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; declining enrollment weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to section 30, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the

grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to section 23(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

- (1) For school year 2017-2018, \$4,006;
- (2) for school year 2018-2019, \$4,128; and
- (3) for school year 2019-2020, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to section 22, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to section 31, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under section 6, and amendments thereto.

(l) "Declining enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 32, and amendments thereto, on the basis of costs attributable to the declining enrollment of such school districts.

(m) "Enrollment" means:

- (1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in section 11, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under subsection (m)(2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) (A) For school year 2017-2018, the enrollment determined under paragraph (1), (2) or (3), except if the school district offers kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(B) For school year 2018-2019 and each school year thereafter, the enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(n) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(o) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact

aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(p) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-7105a, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(q) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(r) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to section 23(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(s) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 21(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(t) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-8187, and amendments thereto.

(u) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in section 40, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-1046a(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-979, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-983, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(v) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 21(a), and amendments thereto, on the

basis of costs attributable to maintenance of educational programs by such school districts.

(w) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in section 40, and amendments thereto.

(x) "Preceding school year" means the school year immediately before the current school year.

(y) "Preschool-aged at-risk student" means an at-risk student who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(z) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-962, and amendments thereto.

(aa) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-8187, and amendments thereto.

(bb) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-1106, and amendments thereto.

(cc) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to section 28, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(dd) "School year" means the 12-month period ending June 30.

(ee) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(ff) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to section 29, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(gg) "State board" means the state board of education.

(hh) "State foundation aid" means the amount of aid distributed to school district as determined by the state board pursuant to section 6, and amendments thereto.

(ii) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and

(ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(H) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

(a) For school years 2017-2018 and 2018-2019, one student;

(b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and

(c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

(ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in subsection (ii)(2), an individual confined in and receiving

educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 2016 Supp. 72-3715, and amendments thereto.

(jj) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(kk) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to section 20, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(ll) "Virtual school" means the same as such term is defined in K.S.A. 2016 Supp. 72-3712, and amendments thereto.

New Sec. 5. (a) The state school district finance fund, established by K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in existence and shall consist of: (1) All moneys credited to such fund under K.S.A. 2016 Supp. 72-6463 through 72-6481, prior to their expiration; and (2) all amounts transferred to such fund under sections 8, 14, 15, 30, 31, 32, 111 and 112, and amendments thereto.

(b) The state school district finance fund shall be used for the purpose of school district finance and for no other governmental purpose. It is the intent of the legislature that the fund shall remain intact and inviolate for such purpose, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(c) Amounts in the state school district finance fund shall be allocated and distributed to school districts as a portion of state foundation aid provided for under this act.

New Sec. 6. In each school year, the state board shall determine the amount of state foundation aid for each school district for such school year. The state board shall determine the amount of the school district's local foundation aid for the school year. If the amount of the school district's local foundation aid is greater than the amount of total foundation aid determined for the school district for the school year, the school district shall not receive state foundation aid in any amount. If the amount of the school district's local foundation aid is less than the amount of total foundation aid determined for the school district for the school year, the state board shall subtract the amount of the school district's local foundation aid from the amount of total foundation aid. The remainder is the amount of state foundation aid the school district shall receive for the school year.

New Sec. 7. (a) The distribution of state foundation aid under this act shall be made in accordance with appropriation acts each year as provided in this section.

(b) (1) In the months of July through May of each school year, the state board shall determine the amount of state foundation aid that will be required by each school district to maintain operations in each such month. In making such determination, the state board shall take into consideration the school district's access to local foundation aid and the obligations of the general fund that must be satisfied during the month. The amount determined by the state board under this provision is the amount of state foundation aid that will be distributed to the school district in the months of July through May.

(2) In the month of June of each school year, payment shall be made of the full amount of the state foundation aid determined for the school year less the sum of the monthly payments made in the months of July through May pursuant to subsection (b) (1).

(c) Payments of state foundation aid shall be distributed to school districts once each month on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due as state foundation aid to each school district in each of the months of July through June. Such certification, and the amount of state foundation aid payable from the state general fund, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the school district treasurer of each school district, pursuant to vouchers approved by the state board. Upon receipt of such warrant, each school district treasurer shall deposit the amount of state foundation aid in the general fund of the school district, except that an amount equal to the amount of federal impact aid not included in the local foundation aid of a school district may be disposed of as provided in section 38(a), and amendments thereto.

(d) If any amount of state foundation aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of state foundation aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

New Sec. 8. In the event any school district is paid more than it is entitled to receive under any distribution made under this act or under any statute repealed by this act, the state board shall notify the school district of the amount of such overpayment, and such school district shall remit the same to the state board. The state board shall remit any moneys so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund. If any school district fails to remit, the state board shall deduct the excess amounts paid from future payments becoming due to the school district. In the event any school district is paid less than the amount it is to receive under any distribution made under this act, the state board shall pay the additional amount due at any time within the school year in which the underpayment was made or within 60 days after the end of such school year.

New Sec. 9. On or before October 10 of each school year, the clerk or superintendent of each school district shall certify under oath to the state board a report showing the total enrollment of the school district by grades maintained in the schools of the school district and such other reports as the state board may require. Each such report shall show postsecondary education enrollment, career technical education enrollment, special education enrollment, bilingual education enrollment, at-risk student enrollment and virtual school enrollment in such detail and form as is specified by the state board. Upon receipt of such reports, the state board shall examine the reports and if the state board finds any errors in any such report, the state board shall consult with the school district officer furnishing the report and make any necessary corrections in the report. On or before August 25 of each year, each such clerk or superintendent shall

also certify to the state board a copy of the budget adopted by the school district.

New Sec. 10. (a) If the state board determines that the enrollment of a school district in the preceding school year decreased from the enrollment in the second preceding school year and that a disaster contributed to such decrease, the enrollment of such school district in the second school year following the school year in which the enrollment of the school district was first affected by the disaster shall be the greater of:

(1) The enrollment of preschool-aged at-risk students, if any, plus the average of the enrollment for the current and the preceding three school years, excluding the enrollment of preschool-aged at-risk students in each such year; or

(2) the enrollment of the school district, as defined in section 4, and amendments thereto.

(b) As used in this section, "disaster" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from flood, earthquake, tornado, wind, storm, drought, blight or infestation.

New Sec. 11. (a) Each school year, the state board shall:

(1) Determine the number of students enrolled in each school district on September 20; and

(2) determine the number of military students enrolled in each school district on February 20, who were not enrolled on the preceding September 20.

(b) If the number obtained under subsection (a)(2) is 25 or more, or such number is at least 1% of the number determined under subsection (a)(1), an amount equal to the number obtained under subsection (a)(2) shall be added to the number determined under subsection (a)(1). The resulting sum is the enrollment of the school district.

(c) The state board shall recompute the adjusted enrollment of the school district and the general fund budget of the school district based on the enrollment as determined under this section.

(d) School districts desiring to determine enrollment under this section shall submit any documentation or information required by the state board.

(e) As used in this section, the term "military student" means a person who is a dependent of a full-time active duty member of the military service or a dependent of a member of any of the United States military reserve forces who has been ordered to active duty under 10 U.S.C. §§ 12301, 12302 or 12304, or ordered to full-time active duty for a period of more than 30 consecutive days under 32 U.S.C. §§ 502(f) or 512 for the purposes of mobilizing for war, international peacekeeping missions, national emergency or homeland defense activities.

New Sec. 12. Whenever a new school district has been established or the boundaries of a school district have been changed, the state board shall make appropriate revisions concerning the affected school districts as may be necessary for the purposes of this act to reflect such establishment of a school district or changes in boundaries. Such revisions shall be based on the most reliable data obtainable from the superintendent of the school district and the county clerk.

New Sec. 13. (a) (1) For the purposes of this act, the total foundation aid for any school district formed by consolidation in accordance with the statutory provisions contained in article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, shall be computed by the state board by determining the amount of the total foundation aid each of the former school districts that comprise the consolidated school district received in the school year preceding the date the consolidation was completed,

and calculating the sum of such amounts. The sum is the total foundation aid of the consolidated school district for the school year in which the consolidation was completed.

(2) If any of the former school districts had an enrollment of less than 150 students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the two school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(3) If all of the former school districts had an enrollment of at least 150 students, but any had less than 200 students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the three school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(4) If all of the former school districts had an enrollment of 200 or more students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the four school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(5) If the consolidation involved the consolidation of three or more school districts, regardless of the number of students enrolled in the school districts, the total foundation aid of the newly consolidated school district for the four school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(b) (1) The provisions of this subsection shall apply to school districts that have been enlarged by the attachment of territory pursuant to the procedure established in article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

(2) For the purposes of this act, the total foundation aid for any school district to which this subsection applies shall be computed by the state board of education as follows: (A) Determine the amount of the total foundation aid each of the former school districts that comprise the enlarged school district received in the school year preceding the date the attachment was completed; and (B) add the amounts determined under subparagraph (A). The sum is the total foundation aid of the enlarged school district for the school year in which the attachment is completed.

(3) If any of the former school districts had an enrollment of less than 150 students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the two school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(4) If all of the former school districts had an enrollment of at least 150 students, but any had less than 200 students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the three school years following the school year in which the attachment was completed shall be the greater of: (A) The

amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(5) If all of the former school districts had an enrollment of 200 or more students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the four school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(6) If three or more school districts, regardless of the number of students enrolled in the school districts, are disorganized and attached to a single school district, the total foundation aid of the enlarged school district for the four school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(7) Except as specifically provided by this paragraph for the allocation of total foundation aid among school districts, the provisions of paragraphs (1) through (6) shall be applicable to school districts to which this paragraph applies. If a school district is disorganized in accordance with article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and the territory of such school district is attached to more than one school district, the total foundation aid for each school district to which any territory from the disorganized school district is attached, shall be computed by the state board as follows: (A) Determine the amount of total foundation aid received by the former school district in the school year preceding the date the disorganization and attachment was completed; (B) determine the amount of total foundation aid received by the enlarged school district in the school year preceding the date the disorganization and attachment was completed; (C) determine the assessed valuation of the former school district in the school year preceding the date the disorganization and attachment was completed; (D) determine the assessed valuation of the territory attached to each enlarged school district; (E) allocate the amount of the total foundation aid received by the former school district in the school year preceding the date the disorganization and attachment was completed to each of the enlarged school districts in the same proportion the assessed valuation of the territory attached to each school district bears to the assessed valuation of the former school district; and (F) add the amounts determined under subparagraphs (B) and (E). The sum is the total foundation aid of the enlarged school district for the school year in which the attachment is completed.

New Sec. 14. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and

amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school years 2017-2018 and 2018-2019.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

New Sec. 15. (a) In each school year, the board of education of a school district may adopt, by resolution, a local option budget that does not exceed the state prescribed percentage.

(b) Subject to the limitations of subsection (a), in each school year, the board of education of a school district may adopt, by resolution, a local option budget in an amount that does not exceed:

(1) The amount that the board was authorized to adopt under any resolution adopted pursuant to K.S.A. 2016 Supp. 72-6471, prior to its expiration; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (i).

The adoption of a resolution pursuant to this section shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(c) If the board of a school district desires to increase its local option budget authority above the amount authorized under subsection (b), the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the school district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____, _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the amount of total foundation aid. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified school district No. _____, _____ County, Kansas, on the _____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled appropriately. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(d) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any school district that is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any school district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such school district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(e) The board of any school district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to section 19, and amendments thereto, is certified to the county clerk under any existing authorization.

(f) The board of any school district authorized to adopt a local option budget prior to July 1, 2017, under a resolution that authorized the adoption of such budget in accordance with the provisions of K.S.A. 2016 Supp. 72-6471, prior to its expiration, may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section. Any such school district shall operate under the provisions of this section after the period of time specified in any previously adopted resolution has expired.

(g) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions that are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(h) (1) There is hereby established in each school district that adopts a local option budget a supplemental general fund, which shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitations imposed under subsection (h)(3), amounts in the supplemental general fund may be expended for any purpose for which expenditures

from the general fund are authorized or may be transferred to any categorical fund of the school district. Amounts in the supplemental general fund attributable to any percentage over 25% of total foundation aid determined for the current school year may be transferred to the capital improvements fund of the school district and the capital outlay fund of the school district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(3) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings that is entered into pursuant to the provisions of K.S.A. 72-8225, and amendments thereto.

(4) (A) Except as provided in subsection (h)(4)(B), any unexpended moneys remaining in the supplemental general fund of a school district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the school district received supplemental state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the school district for the school year and multiply the total amount of the unexpended moneys remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the school district or remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(i) Each year, the state board shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(j) The provisions of this section shall be subject to the provisions of section 16, and amendments thereto.

(k) As used in this section:

(1) "Authorized to adopt a local option budget" means that a school district has adopted a resolution pursuant to subsection (c).

(2) "State prescribed percentage" means 33% of the total foundation aid of the school district in the current school year.

(3) "Total foundation aid" means the same as such term is defined in section 4, and amendments thereto.

New Sec. 16. (a) (1) Subject to the provisions of subsection (e), the provisions of this subsection shall apply in any school year in which the amount of BASE aid is \$4,490 or less.

(2) The board of education of a school district may adopt a local option budget that does not exceed the local option budget calculated as if the BASE aid was \$4,490, or that does not exceed the local option budget as calculated pursuant to section 15, and amendments thereto, whichever is greater.

(b) The board of education of a school district may adopt a local option budget that does not exceed the local option budget calculated as if the school district received state aid for special education and related services equal to the amount of state aid for special education and related services received in school year 2008-2009, or that does not exceed the local option budget as calculated pursuant to section 15, and amendments thereto, whichever is greater.

(c) The board of any school district may exercise the authority granted under

subsection (a) or (b) or both subsections (a) and (b).

(d) To the extent that the provisions of section 15, and amendments thereto, conflict with this section, this section shall control.

(e) For school year 2019-2020, and each school year thereafter, the specified dollar amount used in subsection (a) for purposes of determining the local option budget of a school district shall be the specified dollar amount used for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years.

New Sec. 17. (a) In each school year, each school district that has adopted a local option budget is eligible to receive supplemental state aid. Except as provided by section 18, and amendments thereto, supplemental state aid shall be determined by the state board as provided in subsection (b).

(b) The state board shall:

(1) (A) For school year 2017-2018, determine the amount of the assessed valuation per student in the preceding school year of each school district; and

(B) for school year 2018-2019 and each school year thereafter, determine the average assessed valuation per student of each school district by adding the assessed valuation per student for each of the three immediately preceding school years and dividing the resulting sum by three;

(2) rank the school districts from low to high on the basis of the amounts of assessed valuation per student determined under subsection (b)(1);

(3) identify the amount of the assessed valuation per student located at the 81.2 percentile of the amounts ranked under subsection (b)(2);

(4) divide the assessed valuation per student of the school district as determined under subsection (b)(1) by the amount identified under subsection (b)(3); and

(5) (A) if the quotient obtained under subsection (b)(4) equals or exceeds one, the school district shall not receive supplemental state aid; or

(B) if the quotient obtained under subsection (b)(4) is less than one, subtract the quotient obtained under subsection (b)(4) from one, and multiply the difference by the amount of the local option budget of the school district for the immediately preceding school year. The resulting product is the amount of supplemental state aid the school district is to receive for the school year.

(c) Payments of supplemental state aid shall be distributed to school districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each school district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the supplemental general fund of the school district to be used for the purposes of such fund.

(d) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental state aid shall be deemed to be state moneys for educational and support services for school districts.

New Sec. 18. (a) (1) For the purposes of determining the amount of supplemental state aid, the state board shall determine the ranking of each of the former school districts of which the school district is composed as required by section 17(b)(2), and

amendments thereto, for the school year prior to the effectuation of the consolidation or attachment.

(2) For the school year in which the consolidation or attachment is effectuated and the next succeeding two school years, the ranking of the school district for the purposes of section 17(b)(2), and amendments thereto, shall be the ranking of the school district receiving the highest amount of supplemental state aid determined under subsection (a) (1).

(b) The provisions of this section shall apply to school districts that have consolidated or disorganized on and after July 1, 2004.

(c) As used in this section, "school district" means:

(1) Any school district formed by consolidation in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto; or

(2) any school district formed by disorganization and attachment in accordance with article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, if all the territory which comprised a disorganized school district is attached to a single school district.

New Sec. 19. (a) In each school year, the board of each school district that has adopted a local option budget may levy an ad valorem tax on the taxable tangible property of the school district for the purposes of:

(1) Financing that portion of the school district's local option budget that is not financed from any other source provided by law;

(2) paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district; and

(3) funding transfers to the capital improvement fund of the school district and the capital outlay fund of the school district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25% of the total foundation aid determined for the current school year.

(b) The proceeds from the tax levied by a school district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, shall be deposited in the supplemental general fund of the school district.

(c) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

New Sec. 20. (a) The transportation weighting of each school district shall be determined by the state board as follows:

(1) Determine the total expenditures of the school district during the preceding school year from all funds for transporting students of public and nonpublic schools on regular school routes;

(2) determine the sum of: (A) The number of students who were included in the enrollment of the school district in the preceding school year who resided less than 2½ miles by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district; and (B) the number of nonresident students who were included in the enrollment of the school district for the preceding school year and for whom transportation was made available by the

school district;

(3) determine the number of students who were included in the enrollment of the district in the preceding school year who resided $2\frac{1}{2}$ miles or more by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district;

(4) multiply the number of students determined under subsection (a)(3) by 2.8;

(5) divide the amount determined under subsection (a)(2) by the product obtained under subsection (a)(4);

(6) add one to the quotient obtained under subsection (a)(5);

(7) multiply the sum obtained under subsection (a)(6) by the amount determined under subsection (a)(3);

(8) divide the amount determined under subsection (a)(1) by the product obtained under subsection (a)(7). The resulting quotient is the per-student cost of transportation;

(9) on a density-cost graph, plot the per-student cost of transportation for each school district;

(10) construct a curve of best fit for the points so plotted;

(11) locate the index of density for the school district on the base line of the density-cost graph and from the point on the curve of best fit directly above this point of index of density follow a line parallel to the base line to the point of intersection with the vertical line, which point is the formula per-student cost of transportation of the school district;

(12) divide the formula per-student cost of transportation of the school district by the BASE aid; and

(13) multiply the quotient obtained under subsection (a)(12) by the number of students who are included in the enrollment of the school district, are residing $2\frac{1}{2}$ miles or more by the usually traveled road to the school building they attend, and for whom transportation is being made available by, and at the expense of, the district.

(b) (1) For school years 2017-2018 through 2020-2021, the transportation weighting of the school district shall be either the product determined under subsection (a)(13), or that portion of such school district's general state aid for school year 2016-2017 that was attributable to the school district's transportation weighting, whichever is greater.

(2) For school year 2021-2022, and each school year thereafter, the transportation weighting of the school district shall be the product determined under subsection (a) (13).

(c) For the purpose of providing accurate and reliable data on student transportation, the state board is authorized to adopt rules and regulations prescribing procedures that school districts shall follow in reporting pertinent information, including uniform reporting of expenditures for transportation.

(d) As used in this section:

(1) "Curve of best fit" means the curve on a density-cost graph drawn so the sum of the distances squared from such line to each of the points plotted on the graph is the least possible.

(2) "Density-cost graph" means a drawing having: (A) A horizontal or base line divided into equal intervals of density, beginning with zero on the left; and (B) a scale for per-student cost of transportation to be shown on a line perpendicular to the base line at the left end thereof, such scale to begin with zero dollars at the base line

ascending by equal per-student cost intervals.

(3) "Index of density" means the number of students who are included in the enrollment of a school district in the current school year, are residing the designated distance or more by the usually traveled road from the school building they attend, and for whom transportation is being made available on regular school routes by the school district, divided by the number of square miles of territory in the school district.

New Sec. 21. (a) The low enrollment weighting of each school district shall be determined by the state board as follows:

(1) For school districts with an enrollment of fewer than 100 students, multiply the enrollment of the school district by 1.014331. The resulting product is the low enrollment weighting of the school district;

(2) for school districts with an enrollment of at least 100 students, but fewer than 300 students:

(A) Subtract 100 from the enrollment of the school district;
 (B) multiply the difference obtained under subsection (a)(2)(A) by 9.655;
 (C) subtract the product obtained under subsection (a)(2)(B) from 7,337;
 (D) divide the difference obtained under subsection (a)(2)(C) by 3,642.4;
 (E) subtract one from the quotient obtained under subsection (a)(2)(D); and
 (F) multiply the difference obtained under subsection (a)(2)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;

(3) for school districts with an enrollment of at least 300 students, but fewer than 1,622 students:

(A) Subtract 300 from the enrollment of the school district;
 (B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;
 (C) subtract the product obtained under subsection (a)(3)(B) from 5,406;
 (D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;
 (E) subtract one from the quotient obtained under subsection (c)(D); and
 (F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

(b) For school districts with an enrollment of at least 1,622 students, multiply the enrollment of the school district by 0.03504. The resulting product is the high enrollment weighting of the school district.

New Sec. 22. The bilingual weighting of each school district shall be determined by the state board as follows:

(a) Determine the full-time equivalent enrollment in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.395;

(b) determine the number of students enrolled in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.185; and

(c) the bilingual weighting shall be either the amount determined under subsection (a) or (b), whichever is greater.

New Sec. 23. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) for a school district with an enrollment that consists of 10% or more at-risk students, multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district; or

(3) for a school district with an enrollment that consists of less than 10% at-risk students, multiply the number of students equal to 10% of such school district's enrollment by 0.484. The resulting sum is the at-risk student weighting of the school district. A school district whose at-risk student weighting is determined pursuant to this paragraph shall submit a report to the state board in such form and manner as required by the state board that identifies those students enrolled in such school district who are receiving at-risk program services and the criteria each such student satisfies in order to receive at-risk program services. The state board shall adopt rules and regulations that establish the criteria for eligibility for at-risk program services. The provisions of this paragraph shall only apply to those school districts that offer instruction in kindergarten and grades one through 12.

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) Commencing in school year 2018-2019, school districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to section 25(d), and amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district

that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, 2019.

New Sec. 24. (a) If a student submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the student should not have been eligible for free meals, the school district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the school district and the general fund budget of the school district based on the adjusted enrollment of the school district excluding the at-risk student weighting and high-density at-risk student weighting, if any, assigned to such student.

(b) If a student becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such student shall not be excluded from the calculation of the adjusted enrollment of the school district if the school district forwards a copy of such documentation to the state board no later than January 14 of the school year.

New Sec. 25. (a) There is hereby established in every school district an at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Commencing in school year 2018-2019, expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

(1) At-risk educational programs based on best practices identified pursuant to subsection (d);

(2) personnel providing educational services in conjunction with such programs; or

(3) services contracted for by the school district to provide at-risk educational programs based on best practices identified pursuant to subsection (d).

(d) On or before July 1, 2018, the state board shall identify and approve evidence-

based best practices for at-risk programs and instruction of students receiving at-risk program services. The state board shall review and update such best practices as part of its five-year accreditation system review process.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the assistance or programs provided by the school district for students identified as at-risk. Such report shall include the number of students identified as at-risk who were served or provided assistance, the type of service provided, the research upon which the school district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

(f) In order to achieve uniform reporting of the number of students provided service or assistance by school districts in at-risk student programs, school districts shall report the number of students served or assisted in the manner required by the state board.

New Sec. 26. (a) There is hereby established in every school district a preschool-aged at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

(b) Any balance remaining in the preschool-aged at-risk education fund at the end of the budget year shall be carried forward into the preschool-aged at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the preschool-aged at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Each year the board of each school district shall prepare and submit to the state board a report on the preschool-aged at-risk student assistance or programs provided by the school district. Such report shall include the number of students who were served or provided assistance, the type of service provided, the research upon which the school district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

New Sec. 27. (a) The career technical education weighting of each school district shall be determined by the state board by multiplying the full-time equivalent enrollment in approved career technical education programs during the preceding school year by 0.5. The resulting product is the career technical education weighting of the school district.

(b) The provisions of this section shall expire on July 1, 2019.

New Sec. 28. (a) For each school year in which the school facilities weighting may be assigned to the enrollment of the school district, such weighting of such school district shall be determined by the state board as follows:

(1) Determine the number of students included in the enrollment of the school district who are attending a new school facility;

(2) multiply the number of students determined under subsection (a)(1) by 0.25. The resulting product is the school facilities weighting of the school district.

(b) The school facilities weighting may be assigned to the enrollment of a school

district only if:

(1) The school district adopted a local option budget for school year 2014-2015 in an amount equal to at least 25% of the amount of the state financial aid determined for the school district in such school year pursuant to K.S.A. 72-6433, prior to its repeal;

(2) the contractual bond obligations incurred by the school district were approved by the electors of the school district at an election held on or before July 1, 2015; and

(3) (A) the school district commences operation of a new school facility and the construction of such facility was financed primarily with such contractual bond obligations; or

(B) the school district commences operation of a new school facility and the construction of such facility was financed primarily with federal funds and such facility is located on a military reservation.

(c) The school facilities weighting may be assigned to the enrollment of the school district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

New Sec. 29. The special education and related services weighting of each school district shall be determined by the state board as follows:

(a) Add the amount of payments received by the school district under the provisions of K.S.A. 72-979, and amendments thereto, to the amount of any grants received by the school district under the provisions of K.S.A. 72-983, and amendments thereto; and

(b) divide the sum obtained under subsection (a) by the BASE aid. The resulting quotient is the special education and related services weighting of the school district.

New Sec. 30. (a) (1) The board of education of a school district to which the provisions of this section apply may levy an ad valorem tax on the taxable tangible property of the school district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state board of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly attributable to assignment of ancillary school facilities weighting to the enrollment of the school district. The state board of tax appeals may authorize the school district to make a levy that will produce an amount that is not greater than the difference between the amount of costs directly attributable to commencing operation of one or more new school facilities and the amount that is financed from any other source provided by law for such purpose. If the school district is not eligible, or will be ineligible, for ancillary school facilities weighting in any one or more years during the two-year period for which the school district is authorized to levy a tax under this subsection, the state board of tax appeals may authorize the school district to make a levy, in such year or years of ineligibility, that will produce an amount that is not greater than the actual amount of costs attributable to commencing operation of the facility or facilities.

(2) The state board of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this subsection.

(3) The state board of tax appeals may adopt rules and regulations necessary to effectuate the provisions of this subsection, including rules and regulations relating to the evidence required in support of a school district's claim that the costs attributable to commencing operation of one or more new school facilities are in excess of the amount that is financed from any other source provided by law for such purpose.

(b) The board of education of a school district that has levied an ad valorem tax on the taxable tangible property of the school district each year for a period of two years under authority of subsection (a) may continue to levy such tax under authority of this subsection each year for an additional period of time not to exceed six years in an amount not to exceed the amount computed by the state board as provided in this subsection if the board of the school district determines that the costs attributable to commencing operation of one or more new school facilities are significantly greater than the costs attributable to the operation of other school facilities in the school district. The tax authorized under this subsection may be levied at a rate that will produce an amount that is not greater than the amount computed by the state board as provided in this subsection. In computing such amount, the state board shall:

(1) Determine the amount produced by the tax levied by the school district under authority of subsection (a) in the second year for which such tax was levied and add to such amount the amount of state foundation aid directly attributable to ancillary school facilities weighting that was received by the school district in the same year;

(2) compute 90% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the first year of the six-year period for which the school district may levy a tax under authority of this subsection;

(3) compute 75% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the second year of the six-year period for which the school district may levy a tax under authority of this subsection;

(4) compute 60% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the third year of the six-year period for which the school district may levy a tax under authority of this subsection;

(5) compute 45% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the fourth year of the six-year period for which the school district may levy a tax under authority of this subsection;

(6) compute 30% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the fifth year of the six-year period for which the school district may levy a tax under authority of this subsection; and

(7) compute 15% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the sixth year of the six-year period for which the school district may levy a tax under authority of this subsection.

In determining the amount produced by the tax levied by the school district under authority of subsection (a), the state board shall include any moneys apportioned to the ancillary school facilities fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(c) The proceeds from any tax levied by a school district under authority of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the

state school district finance fund.

(d) The ancillary school facilities weighting may be assigned to the enrollment of a school district only if the school district has levied a tax under the authority of subsection (a), and remitted the proceeds from such tax to the state treasurer. The ancillary school facilities weighting of each school district shall be determined in each school year in which such weighting may be assigned to the enrollment of the school district as follows:

(1) Add the amount to be produced by a tax levy as authorized under subsection (a) and certified to the state board by the state board of tax appeals to the amount computed under subsection (b) to be produced by a tax levy, if any; and

(2) divide the sum obtained under subsection (d)(1) by the BASE aid. The resulting quotient is the ancillary school facilities weighting of the school district.

(e) The provisions of this section apply to any school district that:

(1) Commenced operation of one or more new school facilities in the school year preceding the current school year or has commenced or will commence operation of one or more new school facilities in the current school year;

(2) adopted a local option budget; and

(3) is experiencing extraordinary enrollment growth as determined by the state board.

New Sec. 31. (a) Subject to subsection (b), the board of education of a school district may levy a tax on the taxable tangible property within the school district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(b) The state board shall determine whether a school district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under subsection (b)(1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) subtract the amount determined under subsection (b)(2) from the amount determined under subsection (b)(3). If the amount determined for the school district is a positive number and the school district has adopted a local option budget in an amount equal to at least 31% of the total foundation aid for the school district, the school district qualifies for assignment of cost-of-living weighting and may levy a tax on the taxable tangible property of the school district for the purpose of financing the costs that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(c) (1) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the school district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an ad valorem tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost-of-living weighting to the enrollment of the school district. The ad valorem tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

(2) All of the blanks in the resolution shall be filled appropriately. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the ad valorem tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision is in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast is not in favor of the resolution, the resolution shall be deemed of no force and effect and no like resolution shall be adopted by the board within the nine months following such election.

(d) There is hereby established in every school district a cost-of-living fund, which shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost-of-living fund. The proceeds from the tax levied by a school district credited to the cost-of-living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(e) In determining the amount produced by the tax levied by the school district under the authority of this section, the state board shall include any moneys apportioned to the cost-of-living fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(f) The cost-of-living weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the enrollment of

the school district as follows:

(1) Divide the amount determined under subsection (b)(4) by the amount determined under subsection (b)(2);

(2) multiply the quotient determined under subsection (f)(1) by 0.095;

(3) multiply the school district's total foundation aid for the current school year, excluding the amount determined under this provision, by the lesser of the product determined under subsection (f)(2) or 0.05; and

(4) divide the product determined under subsection (f)(3) by the BASE aid for the current school year. The quotient is the cost-of-living weighting of the school district.

New Sec. 32. (a) (1) (A) The board of education of a school district may levy an ad valorem tax on the taxable tangible property of the school district each year for a period of time not to exceed two years, unless authority to make such levy is renewed by the state board of tax appeals, in an amount not to exceed the amount authorized by the state board of tax appeals under this section for the purpose of financing the costs incurred by the state that are directly attributable to assignment of declining enrollment weighting to the enrollment of the school district. The state board of tax appeals may authorize the school district to make a levy that will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the school district. Such amount shall not exceed 5% of the general fund budget of the school district in the school year in which the school district applies to the state board of tax appeals for authority to make a levy pursuant to this subsection. The state board of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(B) For school year 2017-2018, as an alternative to the authority provided in subsection (a)(1)(A), if a school district was authorized to make a levy pursuant to K.S.A. 72-6451, prior to its repeal, in school year 2006-2007, such school district shall remain authorized to make a levy at a rate necessary to generate revenue equal to $\frac{1}{2}$ of the amount that was generated in school year 2007-2008.

(2) The state board of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state board of tax appeals pursuant to this section. The state board shall provide to the state board of tax appeals such school data and information requested by the state board of tax appeals and any other information deemed necessary by the state board.

(b) There is hereby established in every school district a declining enrollment fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a school district under authority of this section shall be credited to the declining enrollment fund of the school district. The proceeds from the tax levied by a school district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(c) In determining the amount produced by the tax levied by the school district under authority of this section, the state board shall include any moneys apportioned to the declining enrollment fund of the school district from taxes levied under the

provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(d) The declining enrollment weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the enrollment of the school district. The state board shall divide the amount certified under subsection (a)(2) by the BASE aid. The resulting quotient is the declining enrollment weighting of the school district.

(e) As used in this section:

(1) "Declining enrollment" means an enrollment that has declined in amount from that of the second preceding school year.

(2) "School district" means a school district that: (A) Has a declining enrollment; and (B) has adopted a local foundation budget in an amount that equals at least 31% of the total foundation aid for the school district at the time the school district applies to the state board of tax appeals for authority to make a levy pursuant to this section.

(f) The provisions of this section shall expire on July 1, 2018.

New Sec. 33. For the purpose of determining the general fund budget of a school district, weightings shall not be assigned to a student enrolled in and attending KAMS. Moneys in the general fund that are attributable to a student enrolled in and attending KAMS shall not be included in the computation of the local option budget of the school district.

New Sec. 34. (a) There is hereby established in every school district a career and postsecondary education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by a school district for any course or program authorized and approved under the provisions of article 44 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, except for courses and programs conducted in an area vocational school, shall be credited to the career and postsecondary education fund. All moneys received by the school district from tuition, fees or charges or from any other source for career technical education courses or programs, except for courses and programs conducted in an area vocational school, shall be credited to the career and postsecondary education fund. All moneys received by the school district from tuition, fees or charges or from any other source for postsecondary education courses or programs shall be credited to the career and postsecondary education fund.

(b) Expenditures made by a school district that are directly attributable to the following shall be paid from the career and postsecondary education fund:

- (1) Career technical education;
- (2) postsecondary education courses; and
- (3) courses provided through distance-learning technology.

(c) Any balance remaining in the career and postsecondary education fund at the end of the budget year shall be carried forward into the career and postsecondary education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the career and postsecondary education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district.

New Sec. 35. There is hereby established in every school district a driver training fund, which shall consist of all moneys deposited therein or transferred thereto

according to law. All moneys received by the school district from distributions made from the state safety fund and the motorcycle safety fund and from tuition, fees or charges for driver training courses shall be credited to the driver training fund. The expenses of a school district directly attributable to driver training shall be paid from the driver training fund.

New Sec. 36. There is hereby established in every school district a food service fund, which shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district for food service and from charges for food service shall be credited to the food service fund. The expenses of a school district attributable to food service shall be paid from the food service fund.

New Sec. 37. There is hereby established in every school district a contingency reserve fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a school district attributable to financial contingencies as determined by the board.

New Sec. 38. (a) Except as otherwise provided in this section, any revenues of a school district, not required by law to be deposited in or credited to a specific fund, shall be deposited in or credited to any categorical fund of the school district or to the capital outlay fund of the school district.

(b) At the discretion of the board of education of a school district, revenues earned from the investment of an activity fund of the school district in accordance with the provisions of K.S.A. 12-1675, and amendments thereto, may be deposited in or credited to such activity fund.

(c) (1) At the discretion of the board and subject to subsection (c)(2), any revenues specified in subsections (a) and (b) may be deposited in or credited to the general fund of the school district in any school year for which the allotment system authorized under K.S.A. 75-3722, and amendments thereto, has been inaugurated and applied to appropriations made for state foundation aid, or in any school year for which any portion of the appropriations made for state foundation aid are lapsed by an act of the legislature.

(2) In no event may the amount of revenues deposited in or credited to the general fund of the school district under authority of subsection (c)(1) exceed an amount equal to the amount of the reduction in state foundation aid paid to the school district determined by the state board to be the result of application of the allotment system to the appropriations made for state foundation aid or of the lapse of any portion thereof by an act of the legislature.

(d) At the discretion of the board, revenues received by the school district from the federal government as the school district's share of the proceeds derived from sale by the federal government of its rights to oil, gas and other minerals located beneath the surface of lands within the school district's boundaries may be deposited in the bond and interest fund of the school district and used for the purposes of such fund. If at any time all indebtedness and obligations of such fund have been fully paid and canceled, the revenues authorized by this subsection to be deposited in such fund shall be disposed of as provided in subsection (a).

(e) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and amendments thereto, conflict with this section, this section shall control.

New Sec. 39. (a) Any lawful transfer of moneys from the general fund of a school district to any other fund shall be an operating expense in the year the transfer is made.

The board of education of a school district may transfer moneys from the general fund to any categorical fund of the school district in any school year.

(b) The board may transfer moneys from the general fund to the contingency reserve fund of the school district, subject to any limitations imposed upon the amount authorized to be maintained in the contingency reserve fund.

(c) The board may transfer moneys from the general fund to the:

- (1) Capital outlay fund;
- (2) special reserve fund;
- (3) special liability expense fund; and
- (4) textbook and student materials revolving fund.

(d) In each school year, the board may transfer to its general fund from any fund to which transfers from the general fund are authorized an amount not to exceed an amount equal to the amount transferred from the general fund to any such fund in the same school year.

New Sec. 40. Expenditures of a school district for the following purposes are not operating expenses:

(a) Payments to another school district in an adjustment of rights as provided in K.S.A. 72-6776, and amendments thereto, or upon transfer of territory as provided in K.S.A. 72-7105, 72-7106 or 72-7107, and amendments thereto, if paid from any fund other than the general fund;

(b) payments to another school district under K.S.A. 72-7105a, and amendments thereto;

(c) the maintenance of student activities that are reimbursed;

(d) expenditures from any lawfully authorized fund of a school district other than its general fund;

(e) the provision of educational services for students residing at the Flint Hills job corps center, students housed at a psychiatric residential treatment facility or students confined in a juvenile detention facility for which the school district is reimbursed by a grant of state moneys as provided in K.S.A. 72-8187, and amendments thereto; and

(f) programs financed, in part or in whole, by federal funds that may be expended although not included in the budget of the school district, excluding funds received under the provisions of title I of public law 874, but not including in such exclusion amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program, to the extent of the federal funds to be provided.

New Sec. 41. If in any school year a school district expends an amount for operating expenses that exceeds its general fund budget, the state board shall determine the excess and deduct the same from amounts of state foundation aid payable to the school district during the next succeeding school year.

New Sec. 42. (a) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, and is measurable. On or before January 15, 2018, and each January 15 thereafter, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and

social studies. The curriculum standards shall be reviewed at least every seven years. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

New Sec. 43. (a) On or before January 15 of each year, the state department of education shall prepare and submit reports on school district funding for each school district to the governor and the legislature.

(b) Each report shall contain the information described in subsection (c) for the school district in terms of actual dollar amounts for the immediately preceding school year, actual dollar amounts for the current school year and budgeted dollar amounts for the immediately succeeding school year.

(c) Each report shall contain the following information for the school district:

- (1) Full-time equivalent enrollment;
- (2) demographic information, including, but not limited to, gender, race, ethnicity, students who are economically disadvantaged, migrants, English language learners and

students with disabilities;

(3) total general and supplemental general funds, including a showing of funding provided by federal sources, state sources and local sources, and total funds per student;

(4) total capital outlay funds, including a showing of such funding provided by federal sources, state sources and local sources, and capital outlay funds per student;

(5) total bond and interest funds, including a showing of such funding provided by federal sources, state sources and local sources, and bond and interest funds per student;

(6) total of all other funds not described in paragraphs (3), (4) and (5), excluding fund transfers, including a showing of such funding provided by federal sources, state sources and local sources, and total funds per student;

(7) total funds per student of all funds described in paragraphs (3) through (6);

(8) general fund moneys attributable to the following:

(A) BASE aid;

(B) high enrollment weighting;

(C) low enrollment weighting;

(D) school facilities weighting;

(E) transportation weighting;

(F) at-risk student weighting;

(G) preschool-aged at-risk student weighting;

(H) high-density at-risk student weighting;

(I) career technical education weighting;

(J) special education and related services weighting;

(K) bilingual weighting;

(L) ancillary school facilities weighting;

(M) cost-of-living weighting;

(N) declining enrollment weighting; and

(O) virtual school state aid;

(9) total expenditures on the following:

(A) At-risk education programs and services;

(B) preschool-aged at-risk education programs and services;

(C) bilingual education programs and services;

(D) career and technical education programs and services;

(E) special education and related services; and

(F) virtual school programs and services; and

(10) total expenditures from the special retirement contributions fund.

(d) The state board shall provide uniform guidelines for what constitutes total expenditures for the programs and services listed under subsection (c)(9).

New Sec. 44. (a) On or before July 1, 2021, the legislature shall:

(1) Consider the information reviewed pursuant to subsection (b), and determine if any provisions of this act are not reasonably calculated to provide adequate educational opportunities to every K-12 public education student in Kansas.

(2) (A) Review the school year 2020-2021 BASE aid amount and evaluate whether such BASE aid amount is reasonably calculated to have all students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(B) Such evaluation shall be based on a successful school model that identifies successful school districts based on the percentage of at-risk students in such districts in relation to the following outcomes:

- (i) The percentage of students at grade level on state math and English/language arts assessments;
- (ii) the percentage of students that are college and career ready on state math and English/language arts assessments;
- (iii) the average composite ACT score; and
- (iv) the four-year graduation rate.

(C) Such evaluation shall identify school districts that exceed expected outcomes and shall also identify school districts that have an average scaled difference on the outcome measures greater than or equal to one standard deviation from the average scaled difference of all districts. Those school districts that are identified as successful school districts in relation to other similarly situated districts may be used to evaluate whether the BASE aid amount is reasonably calculated to ensure that students will continue to meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(b) (1) On or before July 1, 2018, the house and senate standing committees on education shall review the low enrollment weighting and the high enrollment weighting, as such terms are defined in section 4, and amendments thereto, and alternatives to such weightings, including, but not limited to, a sparsity weighting. Such review shall be to ensure that the weightings are reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(2) On or before July 1, 2019, the house and senate standing committees on education shall review the following:

(A) Reports submitted to the legislature pursuant to sections 42, 43 and 49, and amendments thereto; and

(B) the legislative post audit reports conducted pursuant to section 45, and amendments thereto, that were completed prior to July 1, 2019.

(3) On or before July 1, 2020, the house and senate standing committees on education shall review virtual school programs and the virtual school state aid calculation as described in K.S.A. 2016 Supp. 72-3715, and amendments thereto.

(4) On or before July 1, 2021, the house and senate standing committees on education shall review the at-risk student weighting, as such term is defined in section 4, and amendments thereto, to ensure that such weighting is reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(5) On or before July 1, 2023, and on or before July 1, 2026, the house and senate standing committees on education shall review the successful school model described in this subsection (a) to review whether it is an effective model in determining successful schools and to ensure the BASE aid amount is reasonably calculated to meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(6) On or before July 1, 2024, the house and senate standing committees on education shall review the bilingual student weighting, as such term is defined in section 4, and amendments thereto, to ensure that such weighting is reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

New Sec. 45. The legislative post audit committee shall direct the legislative division of post audit to conduct the following performance audits in the fiscal year

specified:

(a) A performance audit of transportation services funding. The audit should include a comparison of the amount of transportation services funding school districts receive to the cost of providing transportation services. This performance audit shall be conducted during fiscal year 2018, and the final audit report shall be submitted to the legislature on or before January 15, 2018.

(b) A performance audit of at-risk education funding. The audit should evaluate the method of counting students for at-risk education funding, the level of the at-risk student weighting and high-density at-risk student weighting under the act and how school districts are expending moneys provided for at-risk education. This performance audit shall be conducted during fiscal year 2020, and the final audit report shall be submitted to the legislature on or before January 15, 2020.

(c) A performance audit of bilingual education funding. The audit should evaluate the method of counting students for bilingual education funding, the level of the bilingual weighting under the act and how school districts are expending moneys provided for bilingual education. This performance audit shall be conducted during fiscal year 2023, and the final audit report shall be submitted to the legislature on or before January 15, 2023.

(d) A study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following:

(1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;

(2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;

(3) the scope of each virtual school program; and

(4) the effectiveness of each virtual school program with respect to student performance and outcomes.

The audit shall be conducted during fiscal year 2024, and the final audit report shall be submitted to the legislature on or before January 15, 2024.

(e) (1) A performance audit to provide a reasonable estimate of the cost of providing educational opportunities for every public school student in Kansas to achieve the performance outcome standards adopted by the state board of education. This performance audit shall be conducted three times as follows:

(A) During fiscal year 2019, and the final report submitted to the legislature on or before January 15, 2019;

(B) during fiscal year 2022, and the final report submitted to the legislature on or before January 15, 2022; and

(C) during fiscal year 2025, and the final report submitted to the legislature on or before January 15, 2025.

(2) Each performance audit required under this subsection shall:

(A) Include reasonable estimates of the costs of providing specialized education services as required by law, including, but not limited to, special education and related services, bilingual education and at-risk programs; and

(B) account for other factors which may contribute to variations in costs incurred by school districts, including, but not limited to, total district enrollment and geographic location within the state.

(3) In conducting each performance audit required under this subsection:

(A) Any examination of historical data and expenditures shall correct any recognized inadequacy of such data or expenditure through a statistically valid method of extrapolation; and

(B) subject to the limitations of the division of legislative post audit budget and appropriations therefor, the legislative post auditor may enter into contracts with consultants as the post auditor deems necessary.

(f) A performance audit to identify best practices in successful schools. The audit should include a comparison of the educational methods and other practices of demographically similar school districts that achieve significantly different student outcomes based on performance outcome standards adopted by the state board of education. This performance audit shall be conducted during fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021. The audit shall be conducted a second time during fiscal year 2026, and the final audit report shall be submitted to the legislature on or before January 15, 2026.

New Sec. 46. The state board may adopt rules and regulations for the administration of this act, including the classification of expenditures of school districts to ensure uniform reporting of operating expenses.

New Sec. 47. The provisions of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, shall not be severable. If any provision of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, is held to be invalid or unconstitutional by court order, all provisions of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, shall be null and void.

New Sec. 48. The Kansas school equity and enhancement act, sections 3 through 48, and amendments thereto, shall expire on July 1, 2027.

New Sec. 49. (a) The state department of education shall conduct a study of the cost of career technical education programs offered by school districts, including, but not limited to, the following:

- (1) The career technical education programs offered by school districts;
- (2) the costs associated with offering such programs, including salaries and wages, materials, equipment and facilities; and
- (3) the coordination between school districts, community colleges and technical colleges in offering such programs.

(b) On or before January 15, 2018, the state department of education shall prepare a report on its findings and shall make recommendations on amendments to the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, for the financing of career technical education programs using a tiered technical education model or other funding model. The report shall be submitted to the governor and the legislature.

(c) The provisions of this section shall expire on July 1, 2018.

New Sec. 50. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all moneys transferred thereto under the provisions of subsection (d).

(b) Each school district that levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this

section.

(c) The state board shall:

(1) Determine the amount of the assessed valuation per student of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the assessed valuation per student of a school district for the purposes of this subsection;

(2) determine the median assessed valuation per student of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median assessed valuation per student of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the assessed valuation per student of the school district with the highest assessed valuation per student of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the assessed valuation per student of the school district with the lowest assessed valuation per student of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median assessed valuation per student shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median assessed valuation per student by one percentage point for each \$1,000 interval above the amount of the median assessed valuation per student, and increasing the state aid computation percentage assigned to the amount of the median assessed valuation per student by one percentage point for each \$1,000 interval below the amount of the median assessed valuation per student. The state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the assessed valuation per student of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto; and

(6) multiply the amount computed under subsection (c)(5), but not to exceed eight mills, by the applicable state aid percentage factor. The resulting product is the amount of payment the school district is to receive from the school district capital outlay state aid fund in the school year.

(d) The state board shall certify to the director of accounts and reports the amount of school district capital outlay state aid determined under the provisions of subsection (c), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(e) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district, and the director of accounts and reports shall draw a warrant on the state treasury payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

New Sec. 51. (a) Each school district may submit an application to the state board of education for approval of extraordinary declining enrollment state aid. Such application shall be submitted in such form and manner as prescribed by the state board, and shall include a description of the extraordinary decline in enrollment of the school district that is the basis for the application.

(b) The state board shall review all submitted applications and approve or deny any such application based on whether the applicant school district has demonstrated extraordinary declining enrollment since school year 2014-2015. As part of its review of an application, the state board may conduct a hearing and provide the applicant school district an opportunity to present testimony as to such school district's extraordinary declining enrollment. In reviewing the application, the state board shall consider the decrease in enrollment of the school district since school year 2014-2015.

(c) If the state board approves an application, it shall determine the amount of extraordinary declining enrollment state aid to be disbursed to the applicant school district from the school district extraordinary declining enrollment fund. In approving any application for extraordinary declining enrollment state aid, the state board may approve an amount of extraordinary declining enrollment state aid that is less than the amount the school district requested in the application. If the state board denies an application, then, within 15 days of such denial, the state board shall send written notice of such denial to the superintendent of such school district. All administrative proceedings pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any action by the state board pursuant to this section shall be subject to review in accordance with the Kansas judicial review act.

(d) There is hereby established in the state treasury the school district extraordinary declining enrollment fund, which shall be administered by the state department of education. All expenditures from the school district extraordinary declining enrollment fund shall be used for the disbursement of extraordinary declining enrollment state aid as approved by the state board under this section. All expenditures from the school district extraordinary declining enrollment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of education, or the designee of the state board of education.

(e) The provisions of this section shall expire on July 1, 2018.

New Sec. 52. No ad valorem tax exemption for real or personal property granted after the effective date of this act by the board of tax appeals pursuant to the provisions of either: (a) Section 13 of article 11 of the constitution of the state of Kansas; or (b) K.S.A. 12-1740 et seq. and 79-201a *Second* or *Twenty-Fourth*, and amendments thereto, for any property purchased with the proceeds of revenue bonds shall be deemed to exempt any such property from the ad valorem property tax levied by a school district pursuant to the provisions of K.S.A. 72-8801, and amendments thereto. The provisions of this section shall not apply to exemptions granted by the board of tax appeals when the associated resolution of intent, letter of intent or inducement resolution to issue revenue bonds and grant property tax abatement was approved by any governing body of any city or the board of commissioners of any county or the public hearing required by K.S.A. 79-251, and amendments thereto, was conducted prior to May 1, 2017.

Sec. 53. K.S.A. 2016 Supp. 10-1116a is hereby amended to read as follows: 10-

1116a. The limitations on expenditures imposed under the cash-basis law shall not apply to:

(a) Expenditures in excess of current revenues made for municipally owned and operated utilities out of the fund of such utilities caused by, or resulting from the meeting of, extraordinary emergencies including drought emergencies. In such cases expenditures in excess of current revenues may be made by declaring an extraordinary emergency by resolution adopted by the governing body and such resolution shall be published at least once in a newspaper of general circulation in such city. Thereupon, such governing body may issue interest bearing no-fund warrants on such utility fund in an amount, including outstanding previously issued no-fund warrants, not to exceed 25% of the revenues from sales of service of such utility for the preceding year. Such warrants shall be redeemed within three years from date of issuance and shall bear interest at a rate of not to exceed the maximum rate of interest prescribed by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a drought emergency, the governing body may issue such warrants for water system improvement purposes in an amount not to exceed 50% of the revenue received from the sale of water for the preceding year. Such warrants shall be redeemed within five years from the date of issuance and shall bear interest at a rate not to exceed the maximum rate of interest prescribed by K.S.A. 10-1009, and amendments thereto.

(b) Expenditures in any month by school districts which are in excess of current revenues if the deficit or shortage in revenues is caused by, or a result of, the payment of state aid after the date prescribed for the payment of state aid during such month under K.S.A. 2016 Supp. 72-6466 section 7, and amendments thereto.

Sec. 54. K.S.A. 2016 Supp. 12-1677 is hereby amended to read as follows: 12-1677. (a) Except as otherwise required by state or federal law, all moneys earned and collected from investments by counties, area vocational-technical schools and quasi-municipal corporations authorized in this act shall be credited to the general fund of such county, area vocational-technical school or quasi-municipal corporation by the treasurer thereof, and all moneys earned and collected from investments by school districts authorized in this act shall be credited to the general fund of the school district in accordance with the provisions of section 38, and amendments thereto.

(b) The treasurer of each county, school district, area vocational-technical school or quasi-municipal corporation shall maintain a complete record of all investments authorized in this act and shall make a quarterly written report of such record to the governing body of such county, school district, area vocational-technical school or quasi-municipal corporation.

Sec. 55. K.S.A. 2016 Supp. 12-1742 is hereby amended to read as follows: 12-1742. Such agreements shall provide for a rental sufficient to repay the principal of and the interest on the revenue bonds. Such agreements also may provide that the lessee shall reimburse the city or county for its actual costs of administering and supervising the issue. The city or county may charge an origination fee. Such fee shall not be deemed a payment in lieu of taxes hereunder. Such fee shall be used exclusively for local economic development activities but shall not be used to pay any administrative costs of the city or county. Except for the origination fee, all other fees paid in excess of such actual costs and any other obligation assumed under the contract shall be deemed payments in lieu of taxes and distributed as provided herein. If the agreement provides for a payment in lieu of taxes to the city or county, such payment, immediately upon

receipt of same, shall be transmitted by the city or county to the county treasurer of the county in which the city is located. Payments in lieu of taxes received pursuant to agreements entered into after the effective date of this act shall include all fees or charges paid for services normally and customarily paid from the proceeds of general property tax levies, except for extraordinary services provided for the facility or an extraordinary level of services required by a facility. Payments in lieu of taxes may be required only upon property for which an exemption from ad valorem property taxes has been granted by the state board of tax appeals. The county treasurer shall apportion such payment among the taxing subdivisions of this state in the territory in which the facility is located. Any payment in lieu of taxes shall be divided by the county treasurer among such taxing subdivisions in the same proportion that the amount of the total mill levy of each individual taxing subdivision bears to the aggregate of such levies of all the taxing subdivisions among which the division is to be made. For purposes of this section, the total mill levy shall not include the mill levy imposed pursuant to K.S.A. 72-8801, and amendments thereto. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them. Based upon the assessed valuation which such facility would have if it were upon the tax rolls of the county, the county clerk shall compute the total of the property taxes which would be levied upon such facility by all taxing subdivisions within which the facility is located if such property were taxable.

Sec. 56. K.S.A. 2016 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

- (A) A substantial number of deteriorated or deteriorating structures;
- (B) predominance of defective or inadequate street layout;
- (C) unsanitary or unsafe conditions;
- (D) deterioration of site improvements;
- (E) tax or special assessment delinquency exceeding the fair market value of the real property;
- (F) defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;
- (G) improper subdivision or obsolete platting or land uses;
- (H) the existence of conditions which endanger life or property by fire or other

causes; or

(1) conditions which create economic obsolescence;
 (2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action;

(3) a majority of the property is a 100-year floodplain area; or

(4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

(1) Dilapidation, obsolescence or deterioration of the structures;

(2) illegal use of individual structures;

(3) the presence of structures below minimum code standards;

(4) building abandonment;

(5) excessive vacancies;

(6) overcrowding of structures and community facilities; or

(7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city and other than an agency, political subdivision or instrumentality of the state or a county when relating to a bioscience development district.

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area, bioscience development area or a building or buildings which are 65 years of age or older and any contiguous vacant or condemned lots.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to K.S.A. 12-1771a(b), and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) (1) "Feasibility study" means:

(A) A study which shows whether a redevelopment project's or bioscience development project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1), and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment or bioscience development project costs; and

(B) the effect, if any, the redevelopment project costs or bioscience development

project will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

(2) For a redevelopment project or bioscience project financed by bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, the feasibility study must also include:

(A) A statement of how the taxes obtained from the project will contribute significantly to the economic development of the jurisdiction in which the project is located;

(B) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the redevelopment project. If a portion of local sales and use taxes is so committed, the applicant shall describe the following:

(i) The percentage of sales and use taxes collected that are so committed; and
 (ii) the date or dates on which the local sales and use taxes pledged to other uses can be pledged for repayment of special obligation bonds;

(C) an anticipated principal and interest payment schedule on the bonds;

(D) following approval of the redevelopment plan, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meeting or meetings of any city whose bonding authority will be utilized in the project, evidencing that a redevelopment plan has been created, discussed, and adopted by the city in a regularly scheduled open public meeting; and

(E) the failure to include all information enumerated in this subsection in the feasibility study for a redevelopment or bioscience project shall not affect the validity of bonds issued pursuant to this act.

(l) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(m) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon, except that ~~when relating to a bioscience development district, as defined in this section;~~ "real property taxes" does not include:

(1) Property taxes levied for schools, by school districts pursuant to K.S.A. 2016 Supp. 72-6470 section 14, and amendments thereto, when relating to a bioscience development district; and

(2) property taxes levied by school districts pursuant to K.S.A. 72-8801, and amendments thereto, when relating to a bioscience development district or a redevelopment district established on or after July 1, 2017.

(n) "Redevelopment project area" means an area designated by a city within a redevelopment district or, if the redevelopment district is established for an intermodal transportation area, an area designated by a city within or outside of the redevelopment district.

(o) "Redevelopment project costs" means: (1) Those costs necessary to implement a redevelopment project plan or a bioscience development project plan, including costs incurred for:

(A) Acquisition of property within the redevelopment project area;
 (B) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-1777, and amendments thereto;
 (C) site preparation including utility relocations;

- (D) sanitary and storm sewers and lift stations;
 - (E) drainage conduits, channels, levees and river walk canal facilities;
 - (F) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;
 - (G) street light fixtures, connection and facilities;
 - (H) underground gas, water, heating and electrical services and connections located within the public right-of-way;
 - (I) sidewalks and pedestrian underpasses or overpasses;
 - (J) drives and driveway approaches located within the public right-of-way;
 - (K) water mains and extensions;
 - (L) plazas and arcades;
 - (M) major multi-sport athletic complex;
 - (N) museum facility;
 - (O) parking facilities including multilevel parking facilities;
 - (P) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;
 - (Q) related expenses to redevelop and finance the redevelopment project;
 - (R) for purposes of an incubator project, such costs shall also include wet lab equipment including hoods, lab tables, heavy water equipment and all such other equipment found to be necessary or appropriate for a commercial incubator wet lab facility by the city in its resolution establishing such redevelopment district or a bioscience development district;
 - (S) costs for the acquisition of land for and the construction and installation of publicly-owned infrastructure improvements which serve an intermodal transportation area and are located outside of a redevelopment district; and
 - (T) costs for infrastructure located outside the redevelopment district but contiguous to any portion of the redevelopment district and such infrastructure is necessary for the implementation of the redevelopment plan as determined by the city.
- (2) Redevelopment project costs shall not include: (A) Costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or a multilevel parking facility.
- (B) In addition, for a redevelopment project financed with special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, redevelopment project costs shall not include:
- (i) Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a redevelopment district;
 - (ii) salaries for local government employees;
 - (iii) moving expenses for employees of the businesses locating within the redevelopment district;
 - (iv) property taxes for businesses that locate in the redevelopment district;
 - (v) lobbying costs;
 - (vi) a bond origination fee charged by the city pursuant to K.S.A. 12-1742, and amendments thereto;
 - (vii) any personal property, as defined in K.S.A. 79-102, and amendments thereto;

and

(viii) travel, entertainment and hospitality.

(p) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(q) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area or, if the redevelopment district is established for an intermodal transportation area, in or outside of the redevelopment district.

(r) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(s) "Redevelopment project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(t) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(u) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(v) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district including a bioscience development district.

(w) "River walk canal facilities" means a canal and related water features which flows through a redevelopment district and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(x) "Major commercial entertainment and tourism area" may include, but not be limited to, a major multi-sport athletic complex.

(y) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(z) "Bioscience" means the use of compositions, methods and organisms in cellular and molecular research, development and manufacturing processes for such diverse areas as pharmaceuticals, medical therapeutics, medical diagnostics, medical devices, medical instruments, biochemistry, microbiology, veterinary medicine, plant biology, agriculture, industrial environmental and homeland security applications of bioscience and future developments in the biosciences. Bioscience includes biotechnology and life sciences.

(aa) "Bioscience development area" means an area that:

(1) Is or shall be owned, operated, or leased by, or otherwise under the control of

the Kansas bioscience authority;

(2) is or shall be used and maintained by a bioscience company; or

(3) includes a bioscience facility.

(bb) "Bioscience development district" means the specific area, created under K.S.A. 12-1771, and amendments thereto, where one or more bioscience development projects may be undertaken.

(cc) "Bioscience development project" means an approved project to implement a project plan in a bioscience development district.

(dd) "Bioscience development project plan" means the plan adopted by the authority for a bioscience development project pursuant to K.S.A. 12-1772, and amendments thereto, in a bioscience development district.

(ee) "Bioscience facility" means real property and all improvements thereof used to conduct bioscience research, including, without limitation, laboratory space, incubator space, office space and any and all facilities directly related and necessary to the operation of a bioscience facility.

(ff) "Bioscience project area" means an area designated by the authority within a bioscience development district.

(gg) "Biotechnology" means those fields focusing on technological developments in such areas as molecular biology, genetic engineering, genomics, proteomics, physiomics, nanotechnology, biodefense, biocomputing, bioinformatics and future developments associated with biotechnology.

(hh) "Board" means the board of directors of the Kansas bioscience authority.

(ii) "Life sciences" means the areas of medical sciences, pharmaceutical sciences, biological sciences, zoology, botany, horticulture, ecology, toxicology, organic chemistry, physical chemistry, physiology and any future advances associated with life sciences.

(jj) "Revenue increase" means that amount of real property taxes collected from real property located within the bioscience development district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(kk) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(ll) "Floodplain increment" means the increment determined pursuant to K.S.A. 2016 Supp. 12-1771e(b), and amendments thereto.

(mm) "100-year floodplain area" means an area of land existing in a 100-year floodplain as determined by either an engineering study of a Kansas certified engineer or by the United States federal emergency management agency.

(nn) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(oo) "Intermodal transportation area" means an area of not less than 800 acres to be developed primarily to handle the transfer, storage and distribution of freight through railway and trucking operations.

(pp) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

Sec. 57. K.S.A. 2016 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city which, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to ~~K.S.A. 2016 Supp. 72-6470 section 14~~, and amendments thereto, within such redevelopment district. Prior to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified.

(b) There is hereby created the tax increment financing revenue replacement fund which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 58. K.S.A. 2016 Supp. 12-1776a is hereby amended to read as follows: 12-1776a. (a) As used in this section:

(1) "School district" means any school district in which is located a redevelopment district for which bonds have been issued pursuant to K.S.A. 12-1770 et seq., and amendments thereto.

(2) "Base year assessed valuation," "redevelopment district" and "redevelopment project" shall have the meanings ascribed thereto by K.S.A. 12-1770a, and amendments thereto.

(b) No later than November 1 of each year, the county clerk of each county shall certify to the state board of education the assessed valuation of any school district located within a redevelopment district in such county. For the purposes of this section and for determining the amount of state aid for school districts under section 17 and

K.S.A. 75-2319, and amendments thereto, the base year assessed valuation of property within the boundaries of a redevelopment district shall be used when determining the assessed valuation of a school district until the bonds issued pursuant to K.S.A. 12-1770 et seq., and amendments thereto, to finance redevelopment projects in the redevelopment district have been retired.

Sec. 59. K.S.A. 12-17,115 is hereby amended to read as follows: 12-17,115. As used in this act:

(a) "Dilapidated structure" means a residence or other building which is in deteriorating condition by reason of obsolescence, inadequate provision of ventilation, light, air or structural integrity or is otherwise in a condition detrimental to the health, safety or welfare of its inhabitants or a residence or other building which is in deteriorating condition and because of age, architecture, history or significance is worthy of preservation.

(b) "Municipality" means any municipality as defined by K.S.A. 10-1101, and amendments thereto.

(c) "Neighborhood revitalization area" means:

(1) An area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare;

(2) an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use; or

(3) an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

(d) "Governing body" means the governing body of any municipality.

(e) "Increment" means, except for any taxes levied by school districts pursuant to K.S.A. 72-8801, and amendments thereto, that amount of ad valorem taxes collected from real property located within the neighborhood revitalization area or from dilapidated structures outside the revitalization area that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the neighborhood revitalization area was established or the structure was declared dilapidated pursuant to this act.

Sec. 60. K.S.A. 2016 Supp. 72-978 is hereby amended to read as follows: 72-978.

(a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive

for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option budgets of all school districts;

(2) subtract from the amount determined in subsection (a)(1) the total amount attributable to assignment of transportation weighting, ~~program weighting, bilingual weighting, career technical education weighting,~~ special education weighting and at-risk pupil student weighting, ~~as those weightings were calculated under the school district finance and quality performance act, prior to its repeal,~~ to the enrollment of all school districts;

(3) divide the remainder obtained in subsection (a)(2) by the total number of full-time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in subsection (a)(3) by the full-time equivalent enrollment determined in subsection (a)(4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under subsections (a)(6) and (a)(7) to the amount of the product obtained under subsection (a)(5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under subsection (a)(8) from the amount determined under subsection (a)(9); and

(11) multiply the remainder obtained under subsection (a)(10) by 92%.

The computed amount is the amount of state aid for the provision of special education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall ~~be entitled to~~ receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children. Such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services. Such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) (A) except for those school districts ~~entitled to~~ that receive reimbursement

under subsection (c) or (d), after subtracting the amounts of reimbursement under subsections (a)(1), (a)(2) and (a)(3) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

(B) Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(C) For purposes of this subsection (b)(4), a special teacher, qualified to assist in the provision of special education and related services to exceptional children, who assists in providing special education and related services to exceptional children at either the state school for the blind or the state school for the deaf and whose services are paid for by a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments thereto, shall be considered a special teacher of such school district.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall ~~be entitled to~~ receive reimbursement under subsection (b)(4). The amount of such reimbursement for the school district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall ~~be entitled to~~ receive reimbursement under subsection (b)(4). The amount of such reimbursement for the school district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, ~~the Atchison juvenile correctional facility~~, the Larned juvenile correctional facility; or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

(f) There is hereby established in every school district a fund which shall be called the special education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for special education shall

be credited to the special education fund established by this section, except that: (1) Amounts of payments received by a school district under K.S.A. 72-979, and amendments thereto, and amounts of grants, if any, received by a school district under K.S.A. 72-983, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2) moneys received by a school district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be credited to the special education fund established under the agreements.

(g) The expenses of a school district directly attributable to special education shall be paid from the special education fund and from special funds established under K.S.A. 72-968, and amendments thereto.

(h) Obligations of a school district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be paid from the special education fund established by this section.

Sec. 61. K.S.A. 2016 Supp. 72-1046b is hereby amended to read as follows: 72-1046b. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2½ or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in ~~subpart~~ subparagraph (A).

(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any non-resident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463 et seq. Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, except computation of transportation weighting under such act,~~ and for the purposes of the statutory provisions contained in article 83 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil shall not be charged for the costs of attendance at school.

~~(d) Any pupil who was not a resident of the district in school year 2014-2015, but was allowed to enroll in and attend school in such district in school year 2014-2015 by~~

~~the board of education of such district and any member of the family of such pupil regardless of whether such family member enrolled in and attended school in such district in school year 2014-2015, shall be allowed to enroll in and attend school in such district in school years 2015-2016 and 2016-2017 regardless of whether such pupil or family member of such pupil is a resident of the district in either school year, provided such pupil or such pupil's family member is in compliance with any attendance and behavior policies of the district. If transportation was furnished or provided to such pupil in school year 2014-2015 by the district, then transportation shall be furnished or provided by the district to such pupil and any family member of such pupil in school years 2015-2016 and 2016-2017, provided there is no change in such pupil's residence and no requirement for the district to furnish transportation to any additional residence.~~

Sec. 62. K.S.A. 2016 Supp. 72-1398 is hereby amended to read as follows: 72-1398. (a) The national board for professional teaching standards certification incentive program is hereby established for the purpose of rewarding teachers who have attained certification from the national board. Teachers who have attained certification from the national board shall be issued a master teacher's license by the state board of education. A master teacher's license shall be valid for 10 years and renewable thereafter every 10 years through compliance with continuing education and professional development requirements prescribed by the state board. Teachers who have attained certification from the national board and who are employed by a school district shall be paid an incentive bonus in the amount of \$1,000 each school year that the teacher remains employed by a school district and retains a valid master teacher's license.

(b) The board of education of each school district employing one or more national board certified teachers shall pay the incentive bonus to each such teacher in each school year that the teacher retains eligibility for such payment. Each board of education which has made payments of incentive bonuses to national board certified teachers under this subsection may file an application with the state board of education for state aid and shall certify to the state board the amount of such payments. The application and certification shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(c) In each school year, each school district employing one or more national board certified teachers is entitled to receive from appropriations for the national board for professional teaching standards certification incentive program an amount which is equal to the amount certified to the state board of education in accordance with the provisions of subsection (b). The state board shall certify to the director of accounts and reports the amount due each school district. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each school district entitled to payment under this section upon vouchers approved by the state board.

(d) Moneys received by a board of education under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of ~~the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and may be expended whether the same have been budgeted or not.

(e) The state board of education is authorized to provide scholarships of \$1,100 each to teachers who are accepted to participate in the national board for professional

teaching standards program for initial certification. The state board of education is authorized to provide scholarships of \$500 each to teachers who are accepted to participate in the national board for professional teaching standards program for renewal of certification. Any teacher who has been accepted to participate in such program may file an application with the state board of education for a scholarship. The application shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(f) As used in this section, the term "school district" means any school district organized and operating under the laws of this state.

Sec. 63. K.S.A. 2016 Supp. 72-1414 is hereby amended to read as follows: 72-1414. (a) On or before January 1, 2001, the state board of education shall adopt rules and regulations for the administration of mentor teacher programs and shall:

(1) Establish standards and criteria for evaluating and approving mentor teacher programs and applications of school districts for grants;

(2) evaluate and approve mentor teacher programs;

(3) establish criteria for determination of exemplary teaching ability of certificated teachers for qualification as mentor teachers;

(4) prescribe guidelines for the selection by boards of education of mentor teachers and for the provision by boards of education of training programs for mentor teachers;

(5) be responsible for awarding grants to school districts; and

(6) request of and receive from each school district which is awarded a grant for maintenance of a mentor teacher program reports containing information with regard to the effectiveness of the program.

(b) Subject to the availability of appropriations for mentor teacher programs maintained by school districts, and within the limits of any such appropriations, the state board of education shall determine the amount of grants to be awarded school districts by multiplying an amount not to exceed \$1,000 by the number of mentor teachers participating in the program maintained by a school district. The product is the amount of the grant to be awarded to the district. Upon receipt of a grant of state moneys for maintenance of a mentor teacher program, the amount of the grant shall be deposited in the general fund of the school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto. The full amount of the grant shall be allocated among the mentor teachers employed by the school district so as to provide a mentor teacher with an annual stipend in an amount not to exceed \$1,000. Such annual stipend shall be over and above the regular salary to which the mentor teacher is entitled for the school year.

Sec. 64. K.S.A. 2016 Supp. 72-1923 is hereby amended to read as follows: 72-1923. (a) Except as provided in K.S.A. 2016 Supp. 72-1925, and amendments thereto, the board of education of any school district may apply to the state board for a grant of authority to operate such school district as a public innovative district. The application shall be submitted in the form and manner prescribed by the state board, and shall be submitted not later than December 1 of the school year preceding the school year in which the school district intends to operate as a public innovative district.

(b) The application shall include the following:

- (1) A description of the educational programs of the public innovative district;
- (2) a description of the interest and support for partnerships between the public innovative district, parents and the community;
- (3) the specific goals and the measurable pupil outcomes to be obtained by operating as a public innovative district; and
- (4) an explanation of how pupil performance in achieving the specified outcomes will be measured, evaluated and reported.

(c) (1) Within 90 days from the date such application is submitted, the state board shall review the application to determine compliance with this section, and shall approve or deny such application on or before the conclusion of such 90-day period. If the application is determined to be in compliance with this section, the state board shall approve such application and grant the school district authority to operate as a public innovative district. Notification of such approval shall be sent to the board of education of such school district within 10 days after such decision.

(2) If the state board determines such application is not in compliance with either this section, or K.S.A. 2016 Supp. 72-1925, and amendments thereto, the state board shall deny such application. Notification of such denial shall be sent to the board of education of such school district within 10 days after such decision and shall specify the reasons therefor. Within 30 days from the date such notification is sent, the board of education of such school district may submit a request to the state board for reconsideration of the application and may submit an amended application with such request. The state board shall act on the request for reconsideration within 60 days of receipt of such request.

(d) A public innovative district shall:

(1) Not charge tuition for any of the pupils residing within the public innovative district;

(2) participate in all Kansas math and reading assessments applicable to such public innovative district, or an alternative assessment program for measuring student progress as determined by the board of education;

(3) abide by all financial and auditing requirements that are applicable to school districts, except that a public innovative district may use generally accepted accounting principles;

(4) comply with all applicable health, safety and access laws; and

(5) comply with all statements set forth in the application submitted pursuant to subsection (a).

(e) (1) Except as otherwise provided in K.S.A. 2016 Supp. 72-1921 through 72-1930, and amendments thereto, or as required by the board of education of the public innovative district, a public innovative district shall be exempt from all laws and rules and regulations that are applicable to school districts.

(2) A public innovative district shall be subject to the special education for exceptional children act, the virtual school act, the ~~classroom learning assuring student success act~~, ~~K.S.A. 2016 Supp. 72-6463~~, Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, the provisions of K.S.A. 72-8801 et seq., and amendments thereto, all laws governing the issuance of general obligation bonds by school districts, the provisions of K.S.A. 74-4901 et seq., and amendments thereto, and all laws governing the election of members of the board of education, the open meetings act as provided in K.S.A. 75-4317 et seq., and amendments thereto, and the open

records act as provided in K.S.A. 45-215 et seq., and amendments thereto.

Sec. 65. K.S.A. 2016 Supp. 72-3712 is hereby amended to read as follows: 72-3712. As used in the virtual school act:

(a) "Virtual school" means any school or educational program that: (1) Is offered for credit; (2) uses distance-learning technologies which predominately use internet-based methods to deliver instruction; (3) involves instruction that occurs asynchronously with the teacher and pupil student in separate locations; (4) requires the pupil student to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (5) requires the pupil student to demonstrate competence in subject matter for each class or subject in which the pupil student is enrolled as part of the virtual school; and (6) requires age-appropriate pupils students to complete state assessment tests.

(b) "School district" means any school district which offers a virtual school.

(c) Except as provided by the virtual school act, words and phrases shall have the meanings ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~ section 4, and amendments thereto.

Sec. 66. K.S.A. 2016 Supp. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil student shall be in attendance at the virtual school on: (1) A single school day on or before September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each pupil student enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the pupil student was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the pupil student was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under ~~paragraphs subsections~~ subsections (b)(1) and (b)(2);

(4) divide the sum obtained under ~~paragraph subsection~~ subsections (b)(3) by 12. The quotient is the full-time equivalent enrollment of the pupil student.

(c) The school days on which a district determines the full-time equivalent enrollment of a pupil student under subsections (b)(1) and (2) shall be the school days on which the pupil student has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's student's on-line activity or entries in the pupil's student's virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year a school district which offers a virtual school shall receive virtual school state aid. The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) ~~For school year 2015-2016:~~

(A)—Determine the number of pupils students enrolled in virtual school on a full-time basis, excluding those pupils students who are over ~~18~~ 19 years of age, and multiply the total number of such pupils students by \$5,000;

(B)(2) determine the full-time equivalent enrollment of pupils students enrolled in virtual school on a part-time basis, excluding those pupils who are over ~~18~~ 19 years of

age, and multiply the total full-time equivalent enrollment of such ~~pupils~~ students by ~~\$4,045~~ \$1,700;

~~(C)(3)~~ (3) for ~~pupils~~ students enrolled in a virtual school who are over ~~18~~ 19 years of age, determine the number of one-hour credit courses such ~~pupils~~ students have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by ~~\$933~~ \$709; and

~~(D)(4)~~ (4) add the amounts calculated under subsections ~~(d)(1)(A)~~ through ~~(d)(1)(C)~~ (4). The resulting sum is the amount of virtual school state aid the school district shall receive.

~~(2)~~ For school year 2016-2017:

~~(A)~~ Determine the number of pupils enrolled in virtual school on a full-time basis, excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by ~~\$5,600~~;

~~(B)~~ determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by ~~\$1,700~~;

~~(C)~~ for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by ~~\$933~~; and

~~(D)~~ add the amounts calculated under subsections ~~(d)(2)(A)~~ through ~~(d)(2)(C)~~. The resulting sum is the amount of virtual school state aid the school district shall receive.

~~(3)~~ For purposes of this subsection:

~~(A)~~ "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b);

~~(B)~~ "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b);

~~(e)(1)~~ (1) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a ~~pupil~~ student by a virtual school shall be paid by the virtual school. ~~Amounts deposited in the virtual school fund may be transferred to the general fund of the school district as approved by the board of education. Moneys deposited in or otherwise transferred to the virtual school fund shall only be expended for those costs directly attributable to the provision of virtual instruction.~~

(2) Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

(3) In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) For the purposes of this section, a ~~pupil~~ student enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent

enrollment of the virtual school. The virtual school shall record the permanent address of any ~~pupil~~ student enrolled in such virtual school.

(g) For purposes of this section:

(A) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).

(B) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).

Sec. 67. K.S.A. 2016 Supp. 72-5333b is hereby amended to read as follows: 72-5333b. (a) The unified school district maintaining and operating a school on the Fort Leavenworth military reservation, being unified school district No. 207 of Leavenworth county, state of Kansas, shall have a governing body, which shall be known as the "Fort Leavenworth school district board of education" and which shall consist of three members who shall be appointed by, and serve at the pleasure of the commanding general of Fort Leavenworth. One member of the board shall be the president and one member shall be the vice-president. The commanding general, when making any appointment to the board, shall designate which of the offices the member so appointed shall hold. Except as otherwise expressly provided in this section, the district board and the officers thereof shall have and may exercise all the powers, duties, authority and jurisdiction imposed or conferred by law on unified school districts and boards of education thereof, except such school district shall not offer or operate any of grades 10 through 12.

(b) The board of education of the school district shall not have the power to issue bonds.

(c) ~~Except as otherwise expressly provided in this subsection, the provisions of the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, apply to the school district. As applied to the school district, the terms "local foundation aid" and "federal impact aid" shall not include any moneys received by the school district under subsection (3)(d)(2)(b) of public law 81-874.~~ Any such moneys received by the school district shall be deposited in the general fund of the school district or, at the discretion of the board of education, in the capital outlay fund of the school district.

Sec. 68. K.S.A. 2016 Supp. 72-64b01 is hereby amended to read as follows: 72-64b01. (a) No school district shall expend, use or transfer any moneys from the general fund of the district for the purpose of engaging in or supporting in any manner any litigation by the school district or any person, association, corporation or other entity against the state of Kansas, the state board of education, the state department of education, other state agency or any state officer or employee regarding the Kansas school equity and enhancement act or any other law concerning school finance. No such moneys shall be paid, donated or otherwise provided to any person, association, corporation or other entity and used for the purpose of any such litigation.

(b) ~~Nothing in section 15, and amendments thereto, or this section shall be construed as prohibiting the expenditure, use or transfer of moneys from that portion of the proceeds of any tax levied by a school district pursuant to K.S.A. 2016 Supp. 72-6472 section 19, and amendments thereto, that was levied to finance a school district's local option budget,~~ for the purposes specified in subsection (a).

Sec. 69. K.S.A. 2016 Supp. 72-64c03 is hereby amended to read as follows: 72-64c03. The appropriation of moneys necessary to pay general state aid and

supplemental general state aid under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and state aid for the provision of special education and related services under the special education for exceptional children act shall be given first priority in the legislative budgeting process and shall be paid first from existing state revenues.

Sec. 70. K.S.A. 2016 Supp. 72-64c05 is hereby amended to read as follows: 72-64c05. Article 6 of the constitution of the state of Kansas states that the legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools; provide for a state board of education having general supervision of public schools, educational institutions and the educational interests of the state, except those delegated by law to the state board of regents; and make suitable provision for finance of the educational interests of the state. It is the purpose and intention of the legislature to provide a financing system for the education of kindergarten and grades one through 12 which provides students with the capacities set forth in K.S.A. 2016 Supp. 72-1127, and amendments thereto. Such financing system shall be sufficiently flexible for the legislature to consider and utilize financing methods from all available resources in order to satisfy the constitutional requirements under article 6. Such financing methods shall include, but are not limited to, the following:

(a) Federal funding to unified school districts or public schools, including any grants or federal assistance;

(b) subject to appropriations by the legislature, appropriations of state moneys for the improvement of public education, including, but not limited to, the following:

(1) Financing to unified school districts through the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto;

(2) financing to unified school districts through any provisions which provide state aid, such as capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts;

(3) employer contributions to the Kansas public employees retirement system for public schools;

(4) appropriations to the Kansas children's cabinet for programs serving students enrolled in unified school districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

(5) appropriations to any programs which provide early learning to four-year-old children with the purpose of preparing them for success in public schools;

(6) appropriations to any programs, such as communities in schools, which provide individualized support to students enrolled in unified school districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

(7) transportation financing, including any transfers from the state general fund and state highway fund to the state department of education to provide technical education transportation, special education transportation or school bus safety;

(8) financing to other facilities providing public education to students, such as the Kansas state school for the blind, the Kansas state school for the deaf, school district juvenile detention facilities and the Flint Hills job corps center;

- (9) appropriations relating to the Kansas academy of mathematics and science;
- (10) appropriations relating to teaching excellence, such as scholarships, awards, training or in-service workshops;
- (11) appropriations to the state board of regents to provide technical education incentives to unified school districts and tuition costs to postsecondary institutions which provide career technical education to secondary students; and
- (12) appropriations to any postsecondary educational institution which provides postsecondary education to a secondary student without charging tuition to such student;
- (c) any provision which authorizes the levying of local taxes for the purpose of financing public schools; and
- (d) any transfer of funds or appropriations from one object or fund to another approved by the legislature for the purpose of financing public schools.

Sec. 71. K.S.A. 2016 Supp. 72-6622 is hereby amended to read as follows: 72-6622. In the event that all of the property acquired by any two cities under the provisions of K.S.A. 3-404 et seq., and amendments thereto, is included within the territory of a unified school district in which only one of such cities is located:

(a) One-half of the assessed valuation of such property shall be assigned to each of the two school districts in which such cities are located for the purposes of determining the assessed valuation of each district ~~for entitlement to: (1) Supplemental state aid under section 17, and amendments thereto; and (2) payment from the school district capital improvements fund under K.S.A. 75-2319, and amendments thereto;~~

(b) The revenue to be received by each district under subsection (c) shall be used as a receipt by such district in computing its ad valorem tax requirement for each tax levy fund; and

(c) Such property shall be subject to taxation for school purposes at a rate equal to the aggregate of all rates imposed for school purposes upon property located within the school district in which such property is located, but one-half of the proceeds derived from such levy shall be allocated to each of the two school districts in which such cities are located.

Sec. 72. K.S.A. 2016 Supp. 72-6624 is hereby amended to read as follows: 72-6624. (a) As used in this section:

(1) "School district" means unified school district No. 404, unified school district No. 493, unified school district No. 499 and unified school district No. 508.

(2) "Property" means any property, and improvements thereon, comprising a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act located in Cherokee county.

(3) "State aid" means general state aid, supplemental state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or other law, and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, $\frac{1}{4}$ of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to

be used as a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act.

Sec. 73. K.S.A. 2016 Supp. 72-6625 is hereby amended to read as follows: 72-6625. (a) As used in this section:

(1) "School district" means unified school district No. 507 and unified school district No. 374.

(2) "Property" means the following described property, and improvements thereon, comprised of 1,120 acres, more or less, located in Haskell county: All of Section 34, Township 29 South, Range 33 West and the West $\frac{1}{2}$ of Section 3, Township 30 South, Range 33 West and the Northeast Quarter of Section 3, Township 30 South, Range 33 West.

(3) "State aid" means general state aid, supplemental state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or other law, and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, $\frac{1}{2}$ of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to be used for the production of ethanol.

Sec. 74. K.S.A. 2016 Supp. 72-6757 is hereby amended to read as follows: 72-6757. (a) As used in this section:

(1) "Receiving school district" means a school district of nonresidence of a pupil who attends school in such school district.

(2) "Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.

(b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils at school in the receiving school district.

(c) The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils from this state at school in such other state or for the attendance of pupils from such other state at school in this state.

(d) Pupils attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

(e) Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of pupils who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for

pupils who, for any other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district;

(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a pupil or pupils at school in the receiving school district shall not exceed $\frac{1}{2}$ of the amount of the budget per pupil of the sending school district under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, for the current school year; and

(4) the contract shall make provision for transportation of pupils to and from the school attended on every school day.

(f) Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.

(g) The provisions of subsection (e)(3) do not apply to unified school district No. ~~104, Jewell county~~ 107, Rock Hills.

(h) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.

(i) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-8233, and amendments thereto, and no procedure or authorization under K.S.A. 72-8233, and amendments thereto, shall be limited by the provisions of this section.

Sec. 75. K.S.A. 2016 Supp. 72-67,115 is hereby amended to read as follows: 72-67,115. (a) The board of education of any school district may:

(1) Offer and teach courses and conduct preschool programs for children under the age of eligibility to attend kindergarten.

(2) Enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of such preschool programs.

(3) Contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the establishment, operation and maintenance of such preschool programs.

(4) Prescribe and collect fees for providing such preschool programs.

(b) Fees for providing preschool programs shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the preschool programs. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

Sec. 76. K.S.A. 2016 Supp. 72-7535 is hereby amended to read as follows: 72-7535. (a) In order to equip students with the knowledge and skills needed to become self-supporting and to enable students to make critical decisions regarding personal

finances, the state board of education shall authorize and assist in the implementation of programs on teaching personal financial literacy.

(b) The state board of education shall develop a curriculum, materials and guidelines that local boards of education and governing authorities of accredited nonpublic schools may use in implementing the program of instruction on personal financial literacy. The state board of education shall adopt a glossary of personal financial literacy terms which shall be used by school districts when implementing the program on personal financial literacy.

(c) The state board of education shall develop state curriculum standards for personal financial literacy, for all grade levels, within the existing mathematics curriculum or another appropriate subject-matter curriculum.

(d) The state board of education shall encourage school districts when selecting textbooks for mathematics, economics, family and consumer science, accounting or other appropriate courses, to select those textbooks which contain substantive provisions on personal finance, including personal budgeting, credit, debt management and other topics concerning personal financial literacy.

(e) The state board of education shall include questions relating to personal financial literacy in the statewide assessments for mathematics or social studies required under ~~K.S.A. 2016 Supp. 72-6479~~ section 42, and amendments thereto. When the statewide assessments for mathematics or social studies are reviewed or rewritten, the state board of education shall examine the questions relating to personal financial literacy and rewrite such questions in order to determine if programs on personal financial literacy are equipping students with the knowledge and skills needed to become self-supporting and enabling students to make critical decisions regarding personal finances.

Sec. 77. K.S.A. 2016 Supp. 72-8187 is hereby amended to read as follows: 72-8187. (a) In each school year, to the extent that appropriations are available, each school district which has provided educational services for pupils residing at the Flint Hills job corps center, for pupils housed at a psychiatric residential treatment facility or for pupils confined in a juvenile detention facility is eligible to receive a grant of state moneys in an amount to be determined by the state board of education.

(b) In order to be eligible for a grant of state moneys provided for by this section, each school district which has provided educational services for pupils residing at the Flint Hills job corps center, for pupils housed at a psychiatric residential treatment facility or for pupils confined in a juvenile detention facility shall submit to the state board of education an application for a grant and shall certify the amount expended, and not reimbursed or otherwise financed, in the school year for the services provided. The application and certification shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of applications for grants of state moneys is prerequisite to the award of grants.

(c) Each school district which is awarded a grant under this section shall make such periodic and special reports of statistical and financial information to the state board as it may request.

(d) All moneys received by a school district under authority of this section shall be deposited in the general fund of the school district and shall be considered reimbursement of the district for the purpose of the ~~classroom learning assuring student~~

~~success act, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.~~

(e) The state board of education shall approve applications of school districts for grants, determine the amount of grants and be responsible for payment of grants to school districts. In determining the amount of a grant which a school district is eligible to receive, the state board shall compute the amount of state financial aid the district would have received on the basis of enrollment of pupils residing at the Flint Hills job corps center, housed at a psychiatric residential treatment facility or confined in a juvenile detention facility if such pupils had been counted as two pupils under the school district finance and quality performance act and compare such computed amount to the amount certified by the district under subsection (b). The amount of the grant the district is eligible to receive shall be an amount equal to the lesser of the amount computed under this subsection or the amount certified under subsection (b). If the amount of appropriations for the payment of grants under this section is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive grants of state moneys in proportion to the amount each school district is determined to be eligible to receive.

(f) On or before July 1 of each year, the secretary for aging and disability services shall submit to the Kansas department of education a list of facilities which have been certified and licensed as psychiatric residential treatment facilities.

(g) As used in this section:

(1) "Enrollment" means the number of pupils who are: (A) Residing at the Flint Hills job corps center, confined in a juvenile detention facility or residing at a psychiatric residential treatment facility; and (B) for whom a school district is providing educational services on September 20, on November 20, or on April 20 of a school year, whichever is the greatest number of pupils;

(2) "juvenile detention facility" means any public or private facility which is used for the lawful custody of accused or adjudicated juvenile offenders and which shall not be a jail; and

(3) "psychiatric residential treatment facility" means a facility which provides psychiatric services to individuals under the age of 21 and which conforms with the regulations of the centers for medicare/medicaid services, is licensed and certified by the Kansas department for aging and disability services pursuant to subsection (f).

Sec. 78. K.S.A. 2016 Supp. 72-8190 is hereby amended to read as follows: 72-8190. (a) For the purpose of determination of supplemental state aid under section 17, and amendments thereto, and payments from the school district capital improvements fund under K.S.A. 75-2319, and amendments thereto, notwithstanding any provision of either such statutory section to the contrary, the term assessed valuation per pupil, as applied to unified school district No. 203, Wyandotte county, shall not include within its meaning the assessed valuation of property which is owned by Sunflower Racing, Inc. and operated as a racetrack facility known as the Woodlands. The meaning of assessed valuation per pupil as provided in this subsection, for the purposes specified in this subsection, and as applied to the unified school district designated in this subsection, shall be in force and effect for the 1994-95 and 1995-96 school years.

(b) (1) In the event unified school district No. 203, Wyandotte county, receives in any school year the proceeds from any taxes which may be paid upon the Woodlands

for the 1994-95 school year or the 1995-96 school year or for both such school years, the state board of education shall deduct an amount equal to the amount of such tax proceeds from future payments of state aid to which the district is entitled.

(2) For the purposes of this subsection, the term "state aid" means payments from the school district capital improvements fund.

Sec. 79. K.S.A. 2016 Supp. 72-8230 is hereby amended to read as follows: 72-8230. (a) In the event the boards of education of any two or more school districts enter into a school district interlocal cooperation agreement for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state, the following conditions shall apply:

(1) A school district interlocal cooperation agreement shall establish a board of directors which shall be responsible for administering the joint or cooperative undertaking. The agreement shall specify the organization and composition of and manner of appointment to the board of directors. Only members of boards of education of school districts party to the agreement shall be eligible for membership on the board of directors. The terms of office of members of the board of directors shall expire concurrently with their terms as board of education members. Vacancies in the membership of the board of directors shall be filled within 30 days from the date of the vacancy in the manner specified in the agreement.

(2) A school district interlocal cooperation agreement may provide for the establishment and composition of an executive board. The members of the executive board, if established, shall be selected by the board of directors from its membership. The executive board shall exercise the powers, have the responsibilities, and perform the duties and functions of the board of directors to the extent authority to do so is delegated by the board of directors.

(3) A school district interlocal cooperation agreement shall be effective only after approval by the state board of education.

(4) A school district interlocal cooperation agreement shall be subject to change or termination by the legislature.

(5) The duration of a school district interlocal cooperation agreement for joint or cooperative action in performing any of the services, duties, functions, activities, obligations or responsibilities, other than the provision of special education services, which are authorized or required by law to be performed by school districts of this state, shall be for a term of at least three years but not exceeding five years.

(6) (A) The duration of a school district interlocal cooperation agreement for joint or cooperative action in providing special education services shall be perpetual unless the agreement is partially or completely terminated in accordance with this provision. This provision applies to every school district interlocal cooperation agreement for the provision of special education services entered into under authority of this section after the effective date of this act and to every such agreement entered into under this section prior to the effective date of this act, and extant on the effective date of this act, regardless of any provisions in such an agreement to the contrary.

(B) Partial termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon petition for withdrawal from the agreement by a contracting school district to the other contracting school districts and

approval by the state board of written consent to the petition by such other school districts or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue an order approving or disapproving withdrawal by the school district from the agreement.

(C) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of two school districts may be accomplished upon approval by the state board of a joint petition made to the state board for termination of the agreement by both of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts or upon petition for withdrawal from the agreement made by a contracting school district to the other contracting school district and approval by the state board of written consent to the petition by such other school district or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue an order approving or disapproving withdrawal by the school district from the agreement.

(D) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon approval by the state board of a joint petition made to the state board for termination of the agreement by not less than $\frac{2}{3}$ of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts seeking termination of the agreement. The state board shall consider the petition and approve or disapprove termination of the agreement.

(E) The state board shall take such action in approving or disapproving the complete or partial termination of a school district interlocal cooperation agreement for the provision of special education services as the state board deems to be in the best interests of the involved school districts and of the state as a whole in the provision of special education services for exceptional children. Whenever the state board has disapproved the complete or partial termination of such an agreement, no further action with respect to such agreement shall be considered or taken by the state board for a period of not less than three years.

(7) A school district interlocal cooperation agreement shall specify the method or methods to be employed for disposing of property upon partial or complete termination.

(8) Within the limitations provided by law, a school district interlocal cooperation agreement may be changed or modified by affirmative vote of not less than $\frac{2}{3}$ of the contracting school districts.

(b) Except as otherwise specifically provided in this subsection, any power or powers, privileges or authority exercised or capable of exercise by any school district of this state, or by any board of education thereof, may be jointly exercised pursuant to the provisions of a school district interlocal cooperation agreement. No power or powers, privileges or authority with respect to the levy and collection of taxes, the issuance of bonds, or the purposes and provisions of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or title I of public law 874 shall be created or

effectuated for joint exercise pursuant to the provisions of a school district interlocal cooperation agreement.

(c) Payments from the general fund of each school district which enters into any school district interlocal cooperation agreement for the purpose of financing the joint or cooperative undertaking provided for by the agreement shall be operating expenses.

(d) Upon partial termination of a school district interlocal cooperation agreement, the board of directors established under a renegotiated agreement thereof shall be the successor in every respect to the board of directors established under the former agreement.

(e) Nothing contained in this section shall be construed to abrogate, interfere with, impair, qualify or affect in any manner the exercise and enjoyment of all of the powers, privileges and authority conferred upon school districts and boards of education thereof by the provisions of the interlocal cooperation act, except that boards of education and school districts are required to comply with the provisions of this section when entering into an interlocal cooperation agreement that meets the definition of school district interlocal cooperation agreement.

(f) As used in this section:

(1) "School district interlocal cooperation agreement" means an agreement which is entered into by the boards of education of two or more school districts pursuant to the provisions of the interlocal cooperation act.

(2) "State board" means the state board of education.

Sec. 80. K.S.A. 2016 Supp. 72-8233 is hereby amended to read as follows: 72-8233. (a) In accordance with the provisions of this section, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of pupils residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district. Any such agreement is subject to the following conditions:

(1) The agreement may be for any term not exceeding a term of five years.

(2) The agreement shall be subject to change or termination by the legislature.

(3) Within the limitations provided by law, the agreement may be changed or terminated by mutual agreement of the participating boards of education.

(4) The agreement shall make provision for transportation of pupils to and from the school attended on every school day, for payment or sharing of the costs and expenses of pupil attendance at school, and for the authority and responsibility of the participating boards of education.

(c) Provision by agreements entered into under authority of this section for the attendance of pupils at school in a school district of nonresidence of such pupils shall be deemed to be in compliance with the kindergarten, grade, course and units of instruction requirements of law.

(d) The board of education of any school district which enters into an agreement under authority of this section for the attendance of pupils at school in another school

district may discontinue kindergarten or any or all of the grades, courses and units of instruction specified in the agreement for attendance of pupils enrolled in kindergarten or any such grades, courses and units of instruction at school in such other school district. Upon discontinuing kindergarten or any grade, course or unit of instruction under authority of this subsection, the board of education may close any school building or buildings operated or used for attendance by pupils enrolled in such discontinued kindergarten, grades, courses or units of instruction. The closing of any school building under authority of this subsection shall require a majority vote of the members of the board of education and shall require no other procedure or approval.

(e) Pupils attending school in a school district of nonresidence of such pupils in accordance with an agreement made and entered into under authority of this section shall be counted as regularly enrolled in and attending school in the school district of residence of such pupils for the purpose of computations under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

(f) Pupils who satisfactorily complete grade 12 while in attendance at school in a school district of nonresidence of such pupils in accordance with the provisions of an agreement entered into under authority of this section shall be certified as having graduated from the school district of residence of such pupils unless otherwise provided for by the agreement.

Sec. 81. K.S.A. 2016 Supp. 72-8236 is hereby amended to read as follows: 72-8236. (a) The board of education of any school district may: (1) Establish, operate and maintain a child care facility; (2) enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of a child care facility; (3) contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the establishment, operation and maintenance of a child care facility; and (4) prescribe and collect fees for providing care at a child care facility.

(b) Fees for providing care at a child care facility established under authority of this section shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the child care facility. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

(c) Every school district which establishes, operates and maintains a child care facility shall be subject to the provisions contained in article 5 of chapter 65 of Kansas Statutes Annotated, and amendments thereto.

(d) As used in this section, the term "child" means any child who is three years of age or older, and any infant or toddler whose parent or parents are pupils or employees of a school district which establishes, operates and maintains, or cooperates in the establishment, operation and maintenance of, a child care facility under authority of this act.

Sec. 82. K.S.A. 2016 Supp. 72-8249 is hereby amended to read as follows: 72-

8249. (a) There is hereby established in every school district a special reserve fund. Moneys in such fund shall be used to:

(1) Pay claims, judgments, expenses and other purposes relating to health care services, disability income benefits and group life insurance benefits as authorized by K.S.A. 72-8415a, and amendments thereto;

(2) pay costs relating to uninsured losses; and

(3) pay the cost of workers compensation insurance and workers compensation claims, awards, expenses and other purposes authorized by the workers compensation act.

~~Moneys in such fund may be transferred to the general fund of the school district as approved by the board of education.~~

(b) Any balance remaining in the special reserve fund at the end of the budget year shall be carried forward into that reserve fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the special reserve fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Sec. 83. K.S.A. 2016 Supp. 72-8250 is hereby amended to read as follows: 72-8250. (a) There is hereby established in every school district a textbook and student materials revolving fund. Moneys in such fund shall be used to:

(1) Purchase any items designated in K.S.A. 72-5389, and amendments thereto;

(2) pay the cost of materials or other items used in curricular, extracurricular or other school-related activities; and

(3) purchase textbooks as authorized by K.S.A. 72-4141, and amendments thereto.

~~Moneys in such fund may be transferred to the general fund of the school district as approved by the board of education.~~

(b) Any balance remaining in the textbook and student materials revolving fund at the end of the budget year shall be carried forward into that fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the textbook and student materials revolving fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. ~~Interest earned on the investment of moneys in any such fund shall be credited to that fund.~~

Sec. 84. K.S.A. 2016 Supp. 72-8251 is hereby amended to read as follows: 72-8251. Whenever a school district is required by law to make any payment during the month of June and there is insufficient revenue to make such payment as a result of the payment of state aid after the date prescribed by the state board of education pursuant to ~~K.S.A. 2016 Supp. 72-6466 section 7~~, and amendments thereto, the school district shall make such payment as soon as moneys are available.

Sec. 85. K.S.A. 2016 Supp. 72-8302 is hereby amended to read as follows: 72-8302. (a) The board of education of a school district may provide or furnish transportation for ~~pupils~~ students who are enrolled in the school district to or from any school of the school district or to or from any school of another school district attended by such ~~pupils~~ students in accordance with the provisions of an agreement entered into

under authority of K.S.A. 72-8233, and amendments thereto.

(b) (1) When any or all of the conditions specified in this provision exist, the board of education of a school district shall provide or furnish transportation for ~~pupils~~ students who reside in the school district and who attend any school of the school district or who attend any school of another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto. The conditions which apply to the requirements of this provision are as follows:

(A) The residence of the ~~pupil~~ student is inside or outside the corporate limits of a city, the school building attended is outside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the ~~pupil~~ student; or

(B) the residence of the ~~pupil~~ student is outside the corporate limits of a city, the school building attended is inside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the ~~pupil~~ student; or

(C) the residence of the ~~pupil~~ student is inside the corporate limits of one city, the school building attended is inside the corporate limits of a different city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the ~~pupil~~ student.

(2) The provisions of this subsection are subject to the provisions of subsections (c) and (d).

(c) The board of education of every school district is authorized to adopt rules and regulations to govern the conduct, control and discipline of all ~~pupils~~ students while being transported in school buses. The board may suspend or revoke the transportation privilege or entitlement of any ~~pupil~~ student who violates any rules and regulations adopted by the board under authority of this subsection.

(d) The board of education of every school district may suspend or revoke the transportation privilege or entitlement of any ~~pupil~~ student who is detained at school at the conclusion of the school day for violation of any rules and regulations governing ~~pupil~~ student conduct or for disobedience of an order of a teacher or other school authority. Suspension or revocation of the transportation privilege or entitlement of any ~~pupil~~ student specified in this subsection shall be limited to the school day or days on which the ~~pupil~~ student is detained at school. The provisions of this subsection do not apply to any ~~pupil~~ student who has been determined to be an exceptional child, except gifted children, under the provisions of the special education for exceptional children act.

(e) (1) Subject to the limitations specified in this subsection, the board of education of any school district may prescribe and collect fees to offset, totally or in part, the costs incurred for the provision or furnishing of transportation for ~~pupils~~ students. The limitations which apply to the authorization granted by this subsection are as follows:

(A) Fees for the provision or furnishing of transportation for ~~pupils~~ students shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the provision or furnishing of transportation for ~~pupils~~ students and only to the extent that such costs are not reimbursed from any other source provided by law;

(B) fees for the provision or furnishing of transportation may not be assessed against or collected from any ~~pupil~~ student who is counted in determining the

transportation weighting of the school district under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or any student who is determined to be a child with disabilities under the provisions of the special education for exceptional children act or any ~~pupil student~~ who is eligible for free or reduced price meals under the national school lunch act or any ~~pupil student~~ who is entitled to transportation under the provisions of K.S.A. 72-8306(a), and amendments thereto, and who resides 2½ miles or more by the regular route of a school bus from the school attended;

(C) fees for the provision or furnishing of transportation for ~~pupils students~~ in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall be controlled by the provisions of the agreement.

(2) All moneys received by a school district from fees collected under this subsection shall be deposited in the general fund of the district.

Sec. 86. K.S.A. 2016 Supp. 72-8309 is hereby amended to read as follows: 72-8309. (a) The board of education of a school district shall not furnish or provide transportation for ~~pupils or~~ students who reside in another school district except in accordance with the written consent of the board of education of the school district in which such ~~pupil or~~ student resides, or in accordance with an order issued by a board of education under the provisions of K.S.A. 72-1046b, and amendments thereto, or in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) A school district may transport a nonresident ~~pupil or~~ student if such ~~pupil or~~ student boards the school bus within the boundaries or on the boundary of the transporting school district. To the extent that the provisions of this subsection conflict with the provisions of subsection (a), the provisions of subsection (a) shall control.

(c) No student who is furnished or provided transportation by a school district that is not the school district in which the student resides shall be counted in the computation of the school district's transportation weighting under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

Sec. 87. K.S.A. 2016 Supp. 72-8316 is hereby amended to read as follows: 72-8316. (a) Any board of education, pursuant to a policy developed and adopted by it, may provide for the use of district-owned or leased school buses when such buses are not being used for regularly required school purposes. The policy may provide for:

(1) (A) Transporting parents and other adults to or from school-related functions or activities; (B) transporting ~~pupils students~~ to or from functions or activities sponsored by organizations, the membership of which is principally composed of children of school age; and (C) transporting persons engaged in field trips in connection with their participation in an adult education program maintained by the transporting school district or by any other school district, within or outside the boundaries of the transporting school district; and

(2) contracting with: (A) The governing body of any township, city or county for transportation of individuals, groups or organizations; (B) the governing authority of any nonpublic school for transportation of ~~pupils students~~ attending such nonpublic school to or from interschool or intraschool functions or activities; (C) the board of trustees of any community college for transportation of students enrolled in such community college to or from attendance at class at the community college or to and

from functions or activities of the community college; (D) a public recreation commission established and operated under the laws of this state, for any purposes related to the operation of the recreation commission and all programs and services thereof; (E) the board of education of any other school district for transportation, on a cooperative and shared-cost basis, of ~~pupils~~ students, school personnel, parents and other adults to or from school-related functions or activities; or (F) a four-year college or university, area vocational school or area vocational-technical school for transportation of students to or from attendance at class at the four-year college or university, area vocational school or area vocational-technical school or for transportation of students, alumni and other members of the public to or from functions or activities of the four-year college or university, area vocational school or area vocational-technical school.

(b) The costs related to the use of school buses under the authority of this section shall not be considered in determining the transportation weighting of a school district under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

~~(b)(c)~~ Transportation fees may be charged by the board to offset, totally or in part, the costs incurred for the use of school buses under authority of this section.

~~(c)(d)~~ Any revenues received by a board of education as transportation fees or under any contract entered into pursuant to this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the school district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto. Such revenues may be expended whether the same have been budgeted or not.

~~(d)(e)~~ The provisions of K.S.A. 8-1556(c), and amendments thereto, apply to the use of school buses under authority of this section.

Sec. 88. K.S.A. 2016 Supp. 72-8415b is hereby amended to read as follows: 72-8415b. (a) Any school district that elects to become a self-insurer under the provisions of K.S.A. 72-8414, and amendments thereto, may transfer moneys from its general fund to the special reserve fund of the district as provided by ~~K.S.A. 2016 Supp. 72-6478 section 42,~~ and amendments thereto.

(b) Any community college that elects to become a self-insurer under the provisions of K.S.A. 72-8414, and amendments thereto, may transfer such amounts from its general fund to the health care services reserve fund or the disability income benefits reserve fund, or the group life benefit reserve fund, or all three, as may be deemed necessary to meet the cost of health care services or disability income benefits, or group life insurance claims, whichever is applicable.

Sec. 89. K.S.A. 2016 Supp. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate upon the taxable tangible property in the school district for the purposes specified in this act and with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto. for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is

adopted by the board of education in the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy ~~for a period not to exceed _____ years~~ in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district purposes, including: (1) ~~Acquisition of~~ Computer software; (2) ~~acquisition of~~ performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses; (5) ~~acquisition of~~ building sites; (6) undertaking and maintenance of asbestos control projects; (7) ~~acquisition of~~ school buses; (8) ~~utility expenses~~; (9) ~~property and casualty insurance~~; and (8) ~~acquisition of~~ (10) other fixed assets, and with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for that purpose or at the next general election, as is specified by the board of education of the above school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, ____

Clerk of the board of education.

All of the blanks in the above resolution shall be appropriately filled. The blank preceding the word "~~years~~" shall be filled with a specific number, and the blank preceding the word "mills" shall be filled with a specific number, and no word shall be inserted in either of the blanks. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education

within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 90. K.S.A. 72-8803 is hereby amended to read as follows: 72-8803. There is hereby established in every school district of the state a fund which shall be called the capital outlay fund. The capital outlay fund shall consist of all moneys deposited therein or transferred thereto in accordance with law. The proceeds of any tax levied under article 88 of chapter 72 of Kansas Statutes Annotated, and amendments thereto, shall be deposited in the capital outlay fund of the school district making such levy, except for an amount to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, ~~shall be deposited in the capital outlay fund of the school district making such levy with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto.~~

Sec. 91. K.S.A. 2016 Supp. 72-8804 is hereby amended to read as follows: 72-8804. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district purposes, including: (1) ~~Acquisition of~~ Computer software; (2) ~~acquisition of~~ performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; (4) architectural expenses; (5) ~~acquisition of~~ building sites; (6) undertaking and maintenance of asbestos control projects; (7) ~~acquisition of~~ school

buses; ~~(8) utility expenses; (9) property and casualty insurance; and (8) acquisition of (10) other fixed assets, and, for school years 2015-2016 and 2016-2017, subject to the provisions of K.S.A. 2016 Supp. 72-6478, and amendments thereto, may be transferred to the general fund of the school district as approved by the board of education.~~

(b) The board of education of any school district is hereby authorized to invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 92. K.S.A. 2016 Supp. 72-8908 is hereby amended to read as follows: 72-8908. As used in this act:

- (a) "Juvenile" means a person who is less than 18 years of age;
- (b) "adult" means a person who is 18 years of age or older;
- (c) "felony" means any crime designated a felony by the laws of Kansas or the United States;
- (d) "misdemeanor" means any crime designated a misdemeanor by the laws of Kansas or the United States;
- (e) "school day" means any day on which school is maintained;
- (f) "school year" ~~has the meaning ascribed thereto in K.S.A. 2016 Supp. 72-6464~~ means the same as such term is defined in section 4, and amendments thereto;
- (g) "counsel" means any person a pupil selects to represent and advise the pupil at all proceedings conducted pursuant to the provisions of this act; and
- (h) "principal witness" means any witness whose testimony is of major importance in support of the charges upon which a proposed suspension or expulsion from school is based, or in determination of material questions of fact.

Sec. 93. K.S.A. 2016 Supp. 72-9509 is hereby amended to read as follows: 72-9509. (a) There is hereby established in every school district a fund which shall be called the bilingual education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. ~~Amounts deposited in the bilingual education fund may be used for the payment of expenses directly attributable to bilingual education or may be transferred to the general fund of the school district as approved by the board of education. The expenses of a school district directly attributable to such bilingual education programs shall be paid from the bilingual education fund. Moneys deposited in or otherwise transferred to the bilingual education fund shall only be expended for those costs directly attributable to the provision of bilingual education programs.~~

(b) Any balance remaining in the bilingual education fund at the end of the budget year shall be carried forward into the bilingual education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the bilingual education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. ~~Interest earned on the investment of moneys in any such fund shall be credited to that fund.~~

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the bilingual education program and assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 94. K.S.A. 2016 Supp. 72-9609 is hereby amended to read as follows: 72-9609. There is hereby established in every school district a fund which shall be called the professional development fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district from whatever source for professional development programs established under this act shall be credited to the fund established by this section. ~~Amounts deposited in the professional development fund may be used for the payment of expenses directly attributable to professional development or may be transferred to the general fund of the school district as approved by the board of education~~ The expenses of a school district directly attributable to professional development programs shall be paid from the professional development fund.

Sec. 95. K.S.A. 2016 Supp. 72-99a02 is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) resides in Kansas while eligible for an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) "Public school" means a school that would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and is operated by a school district.

(h) "Qualified school" means any nonpublic school that provides education to

elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" shall have the meaning ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~ section 4, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 96. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as amended by section 95 of this act, is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) ~~Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal~~ Is an at-risk student, as defined in section 4, and amendments thereto, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) resides in Kansas while eligible for an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) "Public school" means a school that ~~would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and is operated by a school district, and identified by the state board as one of the lowest 100 performing schools with respect to student achievement among all schools operated by school districts for the current school year.~~

(h) "Qualified school" means any nonpublic school that provides education to elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program. On and after July 1, 2020, a qualified school shall be accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of

satisfying the teaching performance assessment for professional licensure.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" shall have the meaning ascribed thereto in section 4, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 97. K.S.A. 2016 Supp. 72-99a07 is hereby amended to read as follows: 72-99a07. (a) (1) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2014, and ending before January 1, 2017, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto.

(2) There shall be allowed a credit against the tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2016, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto. In no event shall the total amount of contributions for any taxpayer allowed under this subsection exceed \$500,000 for any tax year.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been

deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.

Sec. 98. K.S.A. 2016 Supp. 74-4939a is hereby amended to read as follows: 74-4939a. On and after the effective date of this act for each fiscal year commencing with fiscal year 2005, notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, or any other statute, all moneys appropriated for the department of education from the state general fund commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by appropriation act of the legislature, in the KPERS — employer contributions account and all moneys appropriated for the department of education from the state general fund or any special revenue fund for each fiscal year commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by any such appropriation act in that account or any other account for payment of employer contributions for school districts, shall be distributed by the department of education to school districts in accordance with this section. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, ~~for school year 2015-2016, the department of education shall disburse to each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(a)(6), and amendments thereto, which shall be disbursed pursuant to K.S.A. 2016 Supp. 72-6465, and amendments thereto. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, for school year 2016-2017, the department of education shall disburse to each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(b)(4), and amendments thereto, which shall be disbursed pursuant to K.S.A. 2016 Supp. 72-6465, and amendments thereto~~ certified by the board of trustees of the Kansas public employees retirement system that is equal to the participating employer's obligation of such school district to the system in accordance with policies and procedures that are hereby authorized and directed to be adopted by the state board of education for the purposes of this section and in accordance with any requirements prescribed by the board of trustees of the Kansas public employees retirement system. Upon receipt of each such disbursement of moneys, the school district shall deposit the entire amount thereof into a special retirement contributions fund of the school district, which shall be established by the school district in accordance with such policies and procedures and which shall be used for the sole purpose of receiving such disbursements from the department of education and making the remittances to the system in accordance with this section and such policies and procedures. Upon receipt of each such disbursement of moneys from the department of education, the school district shall remit, in accordance with the provisions of such policies and procedures and in the manner and on the date or dates prescribed by the board of trustees of the Kansas public employees retirement system, an equal amount to the Kansas public employees retirement system from the special retirement contributions fund of the school district to satisfy such school district's obligation as a participating employer. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, shall show within the budget of such school district all amounts received from disbursements into the special retirement contributions fund of such school district. Notwithstanding the provisions of any other statute, no official action of

the school board of such school district shall be required to approve a remittance to the system in accordance with this section and such policies and procedures. All remittances of moneys to the system by a school district in accordance with this subsection and such policies and procedures shall be deemed to be expenditures of the school district.

Sec. 99. K.S.A. 2016 Supp. 74-8925 is hereby amended to read as follows: 74-8925. (a) For the purposes of this act, the term "taxing subdivision" shall include the county, the city, the unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district. The term "real property taxes" includes all taxes levied on an ad valorem basis upon land and improvements thereon, other than the property tax levied pursuant to the provisions of ~~K.S.A. 2016 Supp. 72-6470 section 14~~, and amendments thereto, or any other property tax levied by or on behalf of a school district.

(b) All tangible taxable property located within a redevelopment district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment district. Each redevelopment district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of approval of any redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined, on property located within such redevelopment district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the date of the establishment of the redevelopment district.

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment district constituting a separate taxing unit under the provisions of this section in excess of an amount equal to the total assessed value of such real property on the effective date of the establishment of the district shall be allocated and paid by the county treasurer according to specified percentages of the tax increment expressly agreed upon and consented to by the governing bodies of the county and school district in which the redevelopment district is located. The amount of the real property taxes allocated and payable to the authority under the agreement shall be paid by the county treasurer to the treasurer of the state.

The remaining amount of the real property taxes not payable to the authority shall be allocated and paid in the same manner as other ad valorem taxes. Any real property taxes paid to the state treasurer under this section shall be deposited in the redevelopment bond finance fund of the authority which is created pursuant to K.S.A. 74-8927, and amendments thereto, to pay the costs of any approved redevelopment project, including the payment of principal of and interest on any bonds issued by the authority to finance, in whole or in part, such project. When such bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes. If such bonds and interest thereon have been paid before the completion of a project, the authority may continue to use such moneys for any purpose authorized by the redevelopment agreement until such time as the project costs are paid or reimbursed, but for a period not to exceed the final scheduled maturity of the bonds.

(d) In any redevelopment plan or in the proceedings for the issuing of any bonds by the authority to finance a project, the property tax increment portion of taxes provided for in subsection (c)(2) may be irrevocably pledged for the payment of the principal of and interest on such bonds. The authority may adopt a redevelopment plan in which only a specified percentage of the tax increment realized from taxpayers in the redevelopment district is pledged to the payment of costs.

Sec. 100. K.S.A. 2016 Supp. 74-99b43 is hereby amended to read as follows: 74-99b43. (a) The Kansas development finance authority is hereby authorized to issue special obligation bonds pursuant to K.S.A. 74-8901 et seq., and amendments thereto, in one or more series to finance the undertaking of any bioscience development project in accordance with the provisions of this act. No special obligation bonds may be issued pursuant to this section unless the Kansas development finance authority has received a resolution of the board of the authority requesting the issuance of such bonds. Such special obligation bonds shall be made payable, both as to principal and interest from one or more of the following, as directed by the authority:

(1) From ad valorem tax increments allocated to, and paid into the bioscience development bond fund for the payment of the project costs of a bioscience development project under the provisions of this section;

(2) from any private sources, contributions or other financial assistance from the state or federal government;

(3) from a pledge of a portion or all of the revenue received from transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 et seq., 79-3601 et seq., 79-3701 et seq. and 12-187 et seq., and amendments thereto, and which are collected from taxpayers doing business within that portion of the bioscience development district and paid into the bioscience development bond fund;

(4) from a pledge of a portion or all increased revenue received by any city from franchise fees collected from utilities and other businesses using public right-of-way within the bioscience development district; or

(5) by any combination of these methods.

(b) All tangible taxable property located within a bioscience development district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the

county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a bioscience development district. Each bioscience development district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of the establishment of the bioscience development district real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as defined in K.S.A. 2016 Supp. 12-1770a, and amendments thereto, on property located within such bioscience development district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a bioscience development district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from the base year assessed valuation.

(2) Any real property taxes, except for property taxes levied for schools pursuant to ~~K.S.A. 2016 Supp. 72-6470 section 14~~, and amendments thereto, produced from that portion of the current assessed valuation of real property within the bioscience development district constituting a separate taxing unit under the provisions of this section in excess of the base year assessed valuation shall be allocated and paid by the county treasurer to the bioscience development bond fund to pay the bioscience development project costs including the payment of principal and interest on any special obligation bonds to finance, in whole or in part, such bioscience development projects.

(d) The authority may pledge the bioscience development bond fund or other available revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(e) Any bonds issued under the provisions of this act and the interest paid thereon, unless specifically declared to be taxable in the authorizing resolution of the Kansas development finance authority, shall be exempt from all state, county and municipal taxes, and the exemption shall include income, estate and property taxes.

Sec. 101. K.S.A. 75-2318 is hereby amended to read as follows: 75-2318. (a) Upon receiving an application under K.S.A. 75-2317, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

(b) (1) Commencing in school year 2017-2018, the state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(A) Safety of the current facility and disability access to such facility as

demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(2) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.

(3) The provisions of subsection (b)(1) shall not apply to school districts that have not issued any general obligation bonds in the 25 years prior to the current school year.

(c) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved, the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

(d) Any application that is denied pursuant to subsection (b) may be tentatively approved by the state board of education for the immediately succeeding school year. The amount of general obligation bonds approved in any such application shall be counted first towards the aggregate amount of all general obligation bonds approved by the state board for such school year.

(e) Commencing in school year 2017-2018, the state board of education shall determine the aggregate principal amount of general obligation bonds retired in the immediately preceding school year.

(f) The provisions of subsections (b), (d) and (e) shall expire on June 30, 2022.

Sec. 102. K.S.A. 2016 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range

upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school

district is entitled to receive from the school district capital improvements fund in the school year.

(4) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) Except as provided in subsections (b)(6) and (b)(7), the sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(6) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and receive approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1,

2017, that are issued for the purpose of financing the construction of new school facilities.

(7) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D), the state board shall exclude payments for any capital improvement project, or portion thereof, that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2013~~, June 30, ~~2014~~ 2017, June 30, ~~2015~~ 2018, and June 30, ~~2016~~ 2019, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C).

Sec. 103. K.S.A. 2016 Supp. 79-201x is hereby amended to read as follows: 79-201x. For taxable years ~~2015 and 2016~~ 2017 and 2018, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of ~~K.S.A. 2016 Supp. 72-6470 section 14~~, and amendments thereto: Property used for residential purposes to the extent of \$20,000 of its appraised valuation.

Sec. 104. K.S.A. 2016 Supp. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem

property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the state board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the request for exemption and the recommendations of the county appraiser with the state board of tax appeals. With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the board of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state board of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. A request for exemption pursuant to: (1) Section 13 of article 11 of the constitution of the state of Kansas; or (2) K.S.A. 79-201a *Second*, and amendments thereto, for property constructed or purchased, in whole or in part, with the proceeds of revenue bonds under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, prepared in accordance with instructions and assistance which shall be provided by the department of commerce, shall be deemed approved unless scheduled for hearing within 30 days after the date of receipt of all required information and data relating to the request for exemption, and such hearing shall be conducted within 90 days after such date. Such time periods shall be determined without regard to any extension or continuance allowed to either party to such request. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act. In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) Except as otherwise provided by subsection (g), in the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) During the pendency of a request for exemption, no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. In the event the board determines an application for exemption is without merit and filed in bad faith to delay the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use except that, with respect to property the construction of which commenced not to exceed 24 months prior to the date of first exempt use, the same shall be effective beginning with the date of commencement of construction.

(k) In conjunction with its authority to grant exemptions, the board shall have the authority to abate all unpaid taxes that have accrued from and since the effective date of the exemption. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for the year immediately preceding the year in which the exemption application is filed in accordance with subsection (a).

(l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all property exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 79-201m, and amendments thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n, and amendments thereto; (8) property exempted from ad valorem taxation by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all property previously acquired by the secretary of transportation or a predecessor in interest, which is used in the administration, construction, maintenance or operation of the state system of highways. The secretary of transportation shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (9) property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*, and amendments thereto, including all property previously acquired by the Kansas turnpike authority which is used in the administration, construction, maintenance or operation of the Kansas turnpike. The Kansas turnpike authority shall at

the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (10) aquaculture machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in this section, "aquaculture" has the same meaning ascribed thereto by K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (12) property used exclusively by the state or any municipality or political subdivision of the state for right-of-way purposes. The state agency or the governing body of the municipality or political subdivision shall at the time of acquisition of property for right-of-way purposes notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (13) machinery, equipment, materials and supplies exempted from ad valorem taxation by K.S.A. 79-201w, and amendments thereto; (14) vehicles owned by the state or by any political or taxing subdivision thereof and used exclusively for governmental purposes; (15) property used for residential purposes which is exempted pursuant to K.S.A. 79-201x, and amendments thereto, from the property tax levied pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto; (16) from and after July 1, 1998, vehicles which are owned by an organization having as one of its purposes the assistance by the provision of transit services to the elderly and to disabled persons and which are exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17) from and after July 1, 1998, motor vehicles exempted from taxation by K.S.A. 79-5107(e), and amendments thereto; (18) commercial and industrial machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-223, and amendments thereto; (19) telecommunications machinery and equipment and railroad machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-224, and amendments thereto; and (20) property exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-234, and amendments thereto.

(m) The provisions of this section shall apply to property exempt pursuant to the provisions of section 13 of article 11 of the constitution of the state of Kansas.

(n) The provisions of subsection (k) as amended by this act shall be applicable to all exemption applications filed in accordance with subsection (a) after December 31, 2001.

Sec. 105. K.S.A. 2016 Supp. 79-2001 is hereby amended to read as follows: 79-2001. (a) As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

(b) Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is

separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section.

(c) For tax year 1998, and all tax years thereafter, after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the tax rolls, a tax information form which indicates the taxing unit, assessed value of real property for the current and next preceding taxable year, the mill levy for the current and next preceding taxable year and, in the case of unified school districts, the mill levy required by ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, shall be separately indicated, the tax due and an itemization of each taxing unit's mill levy for the current and next preceding taxable year and the percentage change in the amount of revenue produced therefrom, if any. In addition, with respect to land devoted to agricultural use, such form shall indicate the acreage and description of each parcel of such land. The tax information form shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax information form may be separate from the tax statement or a part of the tax statement. The tax information form shall be in a format prescribed by the director of property valuation. The tax information form shall be mailed to the last known address of the taxpayer. When a tax information form is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the tax information form to the new address. All tax information forms mailed pursuant to this section shall be mailed by first class mail.

Sec. 106. K.S.A. 2016 Supp. 79-2925b is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01

and 76-6b04 and ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the proposed increase with a majority vote of the governing body by the adoption of a resolution and publishes its vote to approve the appropriation or budget including the increase as provided in subsection (c).

(b) Revenue that, in the current year, is produced and attributable to the taxation of:

- (1) New improvements to real property;
- (2) increased personal property valuation;
- (3) property located within added jurisdictional territory; or
- (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section:

(1) "Municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any township, municipal university, school district, community college, drainage district or other taxing district;

(2) "municipality" shall not include:

(A) Any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year; or

(B) any city or county.

Sec. 107. K.S.A. 2016 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:		The tax is:
If the taxable income is:.....		
Not over \$30,000.....	3.5%	of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25%	of excess
.....		over \$30,000
Over \$60,000.....	\$2,925 plus 6.45%	of excess
		over \$60,000

(B) For tax year 2013:

If the taxable income is:.....		The tax is:
Not over \$30,000.....	3.0%	of Kansas taxable income

Over \$30,000.....\$900 plus 4.9% of excess over \$30,000

(C) For tax year 2014:

If the taxable income is:.....The tax is:
Not over \$30,000.....2.7% of Kansas taxable income
Over \$30,000.....\$810 plus 4.8% of excess over \$30,000

(D) For tax years 2015; and 2016 and 2017:

If the taxable income is:.....The tax is:
Not over \$30,000.....2.7% of Kansas taxable income
Over \$30,000.....\$810 plus 4.6% of excess over \$30,000

(E) For tax year ~~2018, and all tax years thereafter~~ 2017:

If the taxable income is:.....The tax is:
Not over \$30,000.....~~2.6%~~2.85% of Kansas taxable income
Over \$30,000 but not over \$100,000.....~~\$780~~\$855 plus ~~4.6%~~4.9% of excess over \$30,000
Over \$100,000.....\$4,285 plus 5.1% of excess over \$100,000

(F) For tax year 2018, and all tax years thereafter:

If the taxable income is:.....The tax is:
Not over \$30,000.....3.0% of Kansas taxable income
Over \$30,000 but not over \$100,000.....\$900 plus 5.25% of excess over \$30,000

Over \$100,000.....\$4,575 plus 5.6% of excess over \$100,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:.....The tax is:
Not over \$15,000.....3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....\$525 plus 6.25% of excess over \$15,000
Over \$30,000.....\$1,462.50 plus 6.45% of excess over \$30,000

(B) For tax year 2013:

If the taxable income is:.....The tax is:
Not over \$15,000.....3.0% of Kansas taxable income
Over \$15,000.....\$450 plus 4.9% of excess over \$15,000

(C) For tax year 2014:

If the taxable income is:.....The tax is:
Not over \$15,000.....2.7% of Kansas taxable income
Over \$15,000.....\$405 plus 4.8% of excess over \$15,000

(D) For tax years 2015; and 2016 and 2017:

If the taxable income is:.....The tax is:
Not over \$15,000.....2.7% of Kansas taxable income
Over \$15,000.....\$405 plus 4.6% of excess over

\$15,000

(E) For tax year ~~2018, and all tax years thereafter 2017~~:

If the taxable income is:.....The tax is:

Not over \$15,000.....~~2.6%~~2.85% of Kansas taxable income

Over \$15,000 but not over \$50,000.....~~\$390~~\$427.50 plus ~~4.6%~~4.9% of excess
.....over \$15,000

Over \$50,000.....\$2,142.50 plus 5.1% of excess over \$50,000

(F) For tax year 2018, and all tax years thereafter:

If the taxable income is:.....The tax is:

Not over \$15,000.....3.0% of Kansas taxable income

Over \$15,000 but not over \$50,000.....\$450 plus 5.3% of excess over
.....\$15,000

Over \$50,000.....\$2,287.50 plus 5.6% of excess over \$500,000

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

~~(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2016 Supp. 79-32,269, and amendments thereto.~~

~~(f) Notwithstanding the provisions of subsections (a) and (b); (1) For tax year years 2016, and all tax years thereafter and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 108. K.S.A. 2016 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's

federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the

same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2016 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2016 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining

taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross

income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the

provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2016 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2016 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received

by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For ~~all~~ taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) No taxpayer shall be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 109. K.S.A. 2016 Supp. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section.

(b) There shall be added to federal taxable income: (i) The same modifications as are set forth in ~~subsection (b) of~~ K.S.A. 79-32,117**(b)**, and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's

employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto-;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto-; and

(vi) the federal net operating loss deduction.

(c) There shall be subtracted from federal taxable income: (i) The same modifications as are set forth in ~~subsection (c) of~~ K.S.A. 79-32,117(c), and amendments thereto, with respect to resident individuals, except subsection (c)(xx)-;

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued. Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) of this section as existing for such year, bears to the federal taxable income for the same year-;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto-;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code-; and

(v) for all taxable years commencing after December 31, 1987, 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income.

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c) hereof. Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 to K.S.A. 79-3293, inclusive, and amendments thereto, plus any refund of federal income tax as determined under ~~paragraph (iv) of subsection (b) of~~ K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) ~~of K.S.A. 79-32,138, and amendments thereto,~~ and subtraction modifications as provided for in subsection (c)(iii) ~~of K.S.A. 79-32,138, and amendments thereto,~~ as those subsections existed prior to their amendment by this act, shall be required to be made for such taxable year.

Sec. 110. K.S.A. 2016 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.15%, and commencing July 1, 2015, at the rate of 6.5%. Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project. Such tax shall be levied upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state, and commencing on October 1, 2017, the rendering or furnishing of any services within this state specifically named by law prior to October 1, 2017, and services as described in subsectors 488410, 531130, 561611, 561612, 561621, non-residential cleaning services described in subsector 561720 and pet care services, excluding shelters, pounds, rescues and animal foster homes, as described in subsector 812910 of the North American industry classification system, 2017 edition. Notwithstanding the provisions of this subsection, for services not previously taxed pursuant to law, the sales tax shall apply beginning on the first billing period starting on or after the effective date of this act, unless such services are being performed pursuant to a contract, in which case the sales tax shall not apply until the contract renews or expires;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 2016 Supp. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club,

drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and

amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs, drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible

personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" shall mean the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" shall mean only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" shall mean a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" shall mean only those enclosures within which individuals customarily live;

(5) "utility structure" shall mean transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" shall mean straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer

software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 2016 Supp. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(w) all sales of charitable raffle tickets in accordance with K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section.

New Sec. 111. All revenue, as certified by the secretary of revenue to the director of accounts and reports, attributable to the operation of the provisions of K.S.A. 79-32,110, 79-32,117, 79-32,138 and 79-3603 and amendments thereto, as each such section is specifically amended by this act, shall be transferred by the director of accounts and reports from the state general fund to the state school district finance fund on January 15, March 15 and June 15 of each year commencing on January 15, 2018. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund and shall not be subject to reduction under K.S.A. 75-6704, and amendments thereto.

New Sec. 112. All revenue, as certified by the secretary of revenue to the director of accounts and reports, not otherwise certified by the secretary and transferred by the director of accounts and reports from the state general fund to the state school district finance fund pursuant to section 111, and amendments thereto, attributable to the tax imposed by the provisions of K.S.A. 79-32,110(a) and (b), and amendments thereto, shall be transferred by the director of accounts and reports from the state general fund to the state school district finance fund on January 15, March 15 and June 15 of each year commencing on January 15, 2018. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund and shall not be subject to reduction under K.S.A. 75-6704, and amendments thereto.

Sec. 113. In sections 1 and 2, if any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 114. K.S.A. 12-17,115, 72-8803 and 75-2318 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1742, 12-1770a, 12-1775a, 12-1776a, 46-1133, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-6482, 72-64b01, 72-64c01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72- 8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a07, 74-4939a, 74-8925, 74-99b43, 75-2319, 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052, 79-201x, 79-213, 79-2001, 79-2925b, 79-32,110, 79-32,117, 79-32,138, 79-32,269 and 79-3603 are hereby repealed.

Sec. 115. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as amended by section 95 of this act, is hereby repealed.";

Also on page 15, in line 28, by striking "January 1, 2018,"; also in line 28, before the period, by inserting "and the date 2017 Senate Bill No. 30 takes effect"

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act and providing revenue therefor; amending K.S.A. 12-17,115, 72-8803 and 75-2318 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1742, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a02, as amended by section 95 of this act, 72-99a07, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001, 79-2925b, 79-32,110, 79-32,117, 79-32,138 and 79-3603 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482, 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052, and 79-32,269";

And your committee on conference recommends the adoption of this report.

LARRY CAMPBELL

CLAY AURAND

Conferees on part of House

JIM DENNING

CAROLYN MCGINN

Conferees on part of Senate

On motion of Rep. Campbell to adopt the conference committee report on **SB 19**, the motion did not prevail. The bill was killed.

On roll call, the vote was: Yeas 32; Nays 91; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alford, Aurand, Becker, Campbell, Concannon, E. Davis, Ellis, Eplee, Francis, Hawkins, Hineman, Hoffman, Johnson, Karleskint, Kelly, Mason, Orr, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Ryckman, Schwab, Seiwert, Smith, A., Tarwater, Thimesch, Thompson, Waymaster, K. Williams.

Nays: Alcalá, Arnberger, Awerkamp, Baker, Ballard, Bishop, Blex, Brim, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Corbet, Cox, Crum, S., Curtis, Deere, Delpedang, Dierks, Dietrich, Dove, Elliott, Esau, Finch, Finney, Frownfelter, Gallagher, Garber, Gartner, Good, Helgerson, Henderson, Hibbard, Highberger, Hodge, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, K. Jones, Judd-Jenkins, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, F. Patton, Phelps, Pittman, R. Powell, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Sloan, Smith, E., Stogsdill, Sutton, S. Swanson, Terrell, Trimmer, Vickrey, Victors, Ward, Weber, C., Weigel, Wheeler, Whipple, Whitmer, Wilson, Winn, Wolfe Moore.

Present but not voting: None.
 Absent or not voting: Barker, Highland.

EXPLANATION OF VOTE

MR. SPEAKER: I vote yes on **SB 19**. It saddens me to make this vote and raise taxes on hardworking Kansans, but I am committed to answering my constitutional duty to adequately fund schools and balance the budget. **SB 19** provides accountability and transparency to school funding with the realization that 100% of personal income tax goes to K-12. This bill isn't ideal and there are many reasons to vote no. However, in light of the position the Court has put us in, I believe **SB 19** provides essential funding and structure to ensure our schools remain open. – KYLE HOFFMAN, JOE SEIWERT

INTRODUCTION OF ORIGINAL MOTIONS

Having voted on the prevailing side, pursuant to House Rule 2303, Rep. Finch moved that the House reconsider its adverse action in not adopting the conference committee report on **SB 19**. The motion prevailed.

The question reverted back to the motion of Rep. Campbell to adopt the conference committee report. Rep. Finch offered a substitute motion to not adopt the conference committee report on **SB 19** and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Campbell, Aurand and Trimmer as third conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 5:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2407** and has appointed Senators McGinn, Billinger and Kelly as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2409** and has appointed Senators Estes, Olson and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **SB 19** and has appointed Senators Denning, McGinn and Hensley as third conferees on the part of the Senate.

On motion of Rep. Hineman, the House recessed until 6:30 p.m.

EARLY EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 19** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

- On page 1, by striking all in lines 5 through 36;
- By striking all on pages 2 through 14;
- On page 15, by striking lines 1 through 26; following line 26, by inserting:
"Section 1.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....	\$12,586,611
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Special education services aid (652-00-1000-0700).....	\$435,980,455
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Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures shall not be made from the special education services aid account for the provisions of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

State foundation aid (652-00-1000-0820).....	\$1,991,268,237
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Provided, That any unencumbered balance in the block grants to USDs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Supplemental state aid (652-00-1000-0840).....\$480,920,922

Provided, That any unencumbered balance in the supplemental general stat aid account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Mentor teacher (652-00-1000-0440).....\$800,000
 Professional development.....\$1,700,000
 Information technology education opportunities (652-00-1000-0600).....\$500,000
 Kansas reading success (652-00-1000-0070).....\$2,100,000
 Discretionary grants (652-00-1000-0400).....\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2018, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: And provided further, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance (652-00-1000-0320).....\$2,510,486
 School safety hotline (652-00-1000-0230).....\$10,000
 KPERS – employer contributions – USDs.....\$261,569,312
 KPERS – employer contributions (652-00-1000-0100).....\$19,707,072

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....\$110,000
 School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....\$4,771,500

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures

shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Governor's teaching excellence scholarships and awards (652-00-1000-0770).....\$327,500

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).

Incentive for technical education (652-00-1000-0110).....\$50,000

Provided, That, on July 1, 2017, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the department of education shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2018 is less than the amount of moneys to be awarded to such school districts, the department of education shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393-7000).....No limit

School district capital improvements fund (652-00-2880-2880).....No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

Mineral production education
 fund (652-00-7669-7669).....No limit
 School district capital outlay state aid fund.....No limit

Conversion of materials and equipment
 fund (652-00-2420-2020).....No limit
 State safety fund (652-00-2538-2030).....No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2018 as soon as moneys are available.

School bus safety fund (652-00-2532-2300).....No limit
 Motorcycle safety fund (652-00-2633-2050).....No limit

Federal indirect cost reimbursement
 fund (652-00-2312-2200).....No limit

Teacher and administrator fee
 fund (652-00-2728-2700).....No limit

Food assistance –
 federal fund (652-00-3230-3020).....No limit

Food assistance – school breakfast program –
 federal fund (652-00-3529-3490).....No limit

Food assistance – national school lunch program –
 federal fund (652-00-3530-3500).....No limit

Food assistance – child and adult care food program – federal
 fund (652-00-3531-3510).....No limit

Community-based child abuse prevention –
 federal fund (652-00-3319-7400).....No limit

Family and children investment
 fund (652-00-7375).....No limit

Elementary and secondary school aid – federal
 fund (652-00-3233-3040).....No limit

Educationally deprived children – state operations –
 federal fund (652-00-3131-3130).....No limit

Elementary and secondary school –
 educationally deprived children –
 LEA's fund (652-00-3532-3520).....No limit

Education of handicapped children fund –
 federal (652-00-3234-3050).....No limit

Education of handicapped children fund – state operations –
 federal fund (652-00-3534-3540).....No limit

Education of handicapped children fund – preschool – federal
 fund (652-00-3535-3550).....No limit

Education of handicapped children

fund – preschool state operations – federal (652-00-3536-3560).....	No limit
Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537-3570).....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538-3580).....	No limit
Vocational education title II – federal fund (652-00-3539-3590).....	No limit
Vocational education title II – federal fund – state operations (652-00-3540-3600).....	No limit
Educational research grants and projects fund (652-00-3592-3070).....	No limit
Inservice education workshop fee fund (652-00-2230-2010).....	No limit
<p><i>Provided</i>, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: <i>Provided further</i>, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: <i>And provided further</i>, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: <i>And provided further</i>, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.</p>	
Private donations, gifts, grants and bequests fund (652-00-7307-5000).....	No limit
Reimbursement for services fund (652-00-3056-3200).....	No limit
Communities in schools program fund (652-00-2221-2400).....	No limit
Governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).....	No limit
<p><i>Provided</i>, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: <i>Provided further</i>, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: <i>And provided further</i>, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: <i>And provided further</i>, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's</p>	

teaching excellence scholarships program repayment fund.

State grants for improving teacher quality – federal fund (652-00-3526-3860).....	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....	No limit
21st century community learning centers – federal fund (652-00-3519-3890).....	No limit
State assessments – federal fund (652-00-3520-3800).....	No limit
Rural and low-income schools program – federal fund (652-00-3521-3810).....	No limit
TANF children's programs – federal fund (652-00-3323-0530).....	No limit
ESSA – student support academic enrichment – federal fund.....	No limit
Language assistance state grants – federal fund (652-00-3522-3820).....	No limit
Service clearing fund (652-00-2869-2800).....	No limit
Helping schools license plate program fund (652-00-2606-2600).....	No limit
General state aid transportation weighting – state highway fund (652-00-2222-2222).....	No limit

Provided, That on July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

Special education transportation

weighting – state highway fund (652-00-2223-2223).....	No limit
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Provided, That on July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the director of accounts and reports shall transfer \$2,500,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

Career and technical education

transportation – state highway fund (652-00-2139-2139).....	No limit
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Provided, That on July 1, 2017, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of

education.

Local school district contribution program checkoff fund.....	No limit
Educational technology coordinator fund (652-00-2157-2157).....	No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2018, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2018 in order to assess the cost effectiveness of the position of educational technology coordinator.

School district extraordinary declining enrollment fund \$2,593,452

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2018, the following:

Parent education program (652-00-2000-2510).....	\$7,237,635
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Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 65% of the grant.

Children's cabinet accountability fund (652-00-2000-2402).....	\$375,000
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Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

CIF grants (652-00-2000-2408).....	\$15,782,638
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Provided, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Quality initiative infants and toddlers (652-00-2000-2420).....	\$430,466
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Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Early childhood block grant autism diagnosis.....	\$43,047
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Provided, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(d) On July 1, 2017, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the Kansas department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2018, and June 30, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2017, and quarterly thereafter, the director of accounts and reports shall transfer \$56,250 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2017, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2018, the following:

KPERS – school employer
contribution (652-00-1700-1700).....\$39,883,000

(i) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$89,323 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*, That such information and data shall be available by the department of education by the end of the fiscal year 2018.

(j) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2018, the following:

Children's cabinet administration.....\$248,206

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....\$12,685,361

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Special education services aid (652-00-1000-0700).....\$447,980,455

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019:

Provided further, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-983, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-978, and amendments thereto.

State foundation aid (652-00-1000-0820).....\$2,046,657,545

Provided, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Supplemental state aid (652-00-1000-0840).....\$486,109,284

Provided, That any unencumbered balance in the supplemental state aid account in

excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Mentor teacher (652-00-1000-0440).....	\$800,000
Professional development.....	\$1,700,000
Information technology education opportunities (652-00-1000-0600).....	\$500,000
Kansas reading success (652-00-1000-0070).....	\$2,100,000
Discretionary grants (652-00-1000-0400).....	\$322,457

Provided, That the above agency shall make expenditures from the discretionary grants account during the fiscal year 2019, in the amount not less than \$125,000 for after school programs for middle school students in the sixth, seventh and eighth grades: *Provided further*, That the after school programs may also include fifth and ninth grade students, if they attend a junior high: *And provided further*, That such discretionary grants shall be awarded to after school programs that operate for a minimum of two hours a day, every day that school is in session, and a minimum of six hours a day for a minimum of five weeks during the summer: *And provided further*, That the discretionary grants awarded to after school programs shall require a \$1 for \$1 local match: *And provided further*, That the aggregate amount of discretionary grants awarded to any one after school program shall not exceed \$25,000.

School food assistance (652-00-1000-0320).....	\$2,510,486
School safety hotline (652-00-1000-0230).....	\$10,000
KPERS – employer contributions – USDs (652-00-1000-0100).....	\$26,885,049
KPERS – employer contributions (652-00-1000-0100).....	\$259,742,946

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....	\$110,000
School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....	\$4,771,500

Provided, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-8187, and amendments thereto.

Governor's teaching excellence
scholarships and
awards (652-00-1000-0770).....\$327,500

Provided, That any unencumbered balance in the governor's teaching excellence scholarships and awards account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the governor's teaching excellence scholarships and awards account for teaching excellence scholarships shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *And provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants for governor's teaching excellence scholarships shall be deposited in the state treasury and credited to the governor's teaching excellence scholarships program repayment fund (652-00-7221-7200).

Incentive for technical education (652-00-1000-0110).....\$50,000

Provided, That, on July 1, 2018, notwithstanding the provisions of K.S.A. 72-4489, and amendments thereto, or any other statute, the department of education shall grant an award in an amount equal to \$1,000 for each pupil graduating from a high school in a school district having obtained an industry-recognized credential either prior to graduation from high school or by December 31 immediately following graduation in an occupation that has been identified by the secretary of labor, in consultation with the state board of regents and the state board of education, as an occupation in highest need of additional skilled employees at the time the pupil entered the career technical education course or program in the school district: *Provided further*, That, if the amount of moneys appropriated for the above agency for fiscal year 2019 is less than the amount of moneys to be awarded to such school districts, the department of education shall prorate the available moneys to such school districts accordingly.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the

following:

State school district finance fund (652-00-7393-7000).....	No limit
School district capital improvements fund (652-00-2880-2880).....	No limit

Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-6761, and amendments thereto.

Mineral production education fund (652-00-7669-7669).....	No limit
School district capital outlay state aid fund.....	No limit
Conversion of materials and equipment fund (652-00-2420-2020).....	No limit
State safety fund (652-00-2538-2030).....	No limit
School bus safety fund (652-00-2532-2300).....	No limit
Motorcycle safety fund (652-00-2633-2050).....	No limit
Federal indirect cost reimbursement fund (652-00-2312-2200).....	No limit
Teacher and administrator fee fund (652-00-2728-2700).....	No limit
Food assistance – federal fund (652-00-3230-3020).....	No limit
Food assistance – school breakfast program – federal fund (652-00-3529-3490).....	No limit
Food assistance – national school lunch program – federal fund (652-00-3530-3500).....	No limit
Food assistance – child and adult care food program – federal fund (652-00-3531-3510).....	No limit
Community-based child abuse prevention – federal fund (652-00-3319-7400).....	No limit
Family and children investment fund (652-00-7375).....	No limit
Elementary and secondary school aid – federal fund (652-00-3233-3040).....	No limit
Educationally deprived children – state operations – federal fund (652-00-3131-3130).....	No limit
Elementary and secondary school – educationally deprived children – LEA's fund (652-00-3532-3520).....	No limit
Education of handicapped children fund – federal (652-00-3234-3050).....	No limit
Education of handicapped children fund – state operations –	

federal fund (652-00-3534-3540).....	No limit
Education of handicapped children	
fund – preschool – federal	
fund (652-00-3535-3550).....	No limit
Education of handicapped children	
fund – preschool state operations –	
federal (652-00-3536-3560).....	No limit
Elementary and secondary school	
aid – federal fund – migrant	
education fund (652-00-3537-3570).....	No limit
Elementary and secondary school aid –	
federal fund – migrant education –	
state operations (652-00-3538-3580)	No limit
Vocational education title II –	
federal fund (652-00-3539-3590).....	No limit
Vocational education title II –	
federal fund – state	
operations (652-00-3540-3600)	No limit
Educational research grants and projects	
fund (652-00-3592-3070).....	No limit
Inservice education workshop	
fee fund (652-00-2230-2010).....	No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Private donations, gifts, grants and bequests	
fund (652-00-7307-5000).....	No limit
Reimbursement for services	
fund (652-00-3056-3200).....	No limit
Communities in schools program	
fund (652-00-2221-2400).....	No limit
Governor's teaching excellence scholarships program repayment	
fund (652-00-7221-7200).....	No limit

Provided, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-1398, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1 for \$1 basis from nonstate sources: *And provided further*, That award

of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

State grants for improving teacher quality – federal fund (652-00-3526-3860).....	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....	No limit
21st century community learning centers – federal fund (652-00-3519-3890).....	No limit
State assessments – federal fund (652-00-3520-3800).....	No limit
Rural and low-income schools program – federal fund (652-00-3521-3810).....	No limit
TANF children's programs – federal fund (652-00-3323-0530).....	No limit
ESSA – student support academic enrichment – federal fund.....	No limit
Language assistance state grants – federal fund (652-00-3522-3820).....	No limit
Service clearing fund (652-00-2869-2800).....	No limit
Helping schools license plate program fund (652-00-2606-2600).....	No limit
General state aid transportation weighting – state highway fund (652-00-2222-2222).....	No limit

Provided, That on July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the director of accounts and reports shall transfer \$24,150,000 from the state highway fund of the department of transportation to the general state aid transportation weighting – state highway fund of the department of education.

Special education transportation weighting – state highway fund (652-00-2223-2223).....	No limit
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Provided, That on July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019,

the director of accounts and reports shall transfer \$2,500,000 from the state highway fund of the department of transportation to the special education transportation weighting – state highway fund of the department of education.

Career and technical education
transportation – state highway
fund (652-00-2139-2139).....No limit

Provided, That on July 1, 2018, the director of accounts and reports shall transfer \$650,000 from the state highway fund of the department of transportation to the career and technical education transportation – state highway fund of the department of education.

Local school district contribution
program checkoff fund.....No limit
Educational technology coordinator
fund (652-00-2157-2157).....No limit

Provided, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2019, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2019 in order to assess the cost effectiveness of the position of educational technology coordinator.

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2019, the following:

Parent education program (652-00-2000-2510).....\$7,237,635

Provided, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 65% of the grant.

Children's cabinet accountability
fund (652-00-2000-2402).....\$375,000

Provided, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

CIF grants (652-00-2000-2408).....\$15,782,786

Provided, That any unencumbered balance in the CIF grants account in excess of \$100

as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Quality initiative infants and toddlers (652-00-2000-2420).....\$430,466

Provided, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Early childhood block grant autism diagnosis.....\$43,047

Provided, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(d) On July 1, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the Kansas department for children and families to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2019, and June 30, 2019, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2018, and quarterly thereafter, the director of accounts and reports shall transfer \$56,250 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2018, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2019, the following:

KPERS – school employer contribution (652-00-1700-1700).....\$40,084,000

(i) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$89,323 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education: *Provided*, That the department of education shall provide information and data regarding the number of school districts served and cost savings attained by such school districts in order to assess the cost effectiveness of having this education technology coordinator position: *Provided further*, That such information and data shall be available by the department of education by the end of the fiscal year 2019.

(j) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2019, the following:

Children's cabinet
administration.....\$248,571

Provided, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

New Sec. 3. Sections 3 through 48, and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

New Sec. 4. As used in the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; declining enrollment weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to section 30, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to section 23(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated

by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

- (1) For school year 2017-2018, \$4,006;
- (2) for school year 2018-2019, \$4,128; and
- (3) for school year 2019-2020, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to section 22, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to section 31, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under section 6, and amendments thereto.

(l) "Declining enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 32, and amendments thereto, on the basis of costs attributable to the declining enrollment of such school districts.

(m) "Enrollment" means:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students

participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in section 11, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under subsection (m)(2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4)(A) For school year 2017-2018, the enrollment determined under paragraph (1), (2) or (3), except if the school district offers kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(B) For school year 2018-2019 and each school year thereafter, the enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(n) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(o) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(p) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-7105a, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by

law.

(q) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(r) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to section 23(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(s) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 21(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(t) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-8187, and amendments thereto.

(u) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in section 40, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, and amendments thereto, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-1046a(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-6757, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-979, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-983, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(v) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to section 21(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(w) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in section 40, and amendments thereto.

(x) "Preceding school year" means the school year immediately before the current school year.

(y) "Preschool-aged at-risk student" means an at-risk student who has attained the

age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(z) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-962, and amendments thereto.

(aa) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-8187, and amendments thereto.

(bb) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-1106, and amendments thereto.

(cc) "School facilities weighting" means an added component assigned to the enrollment of school districts pursuant to section 28, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(dd) "School year" means the 12-month period ending June 30.

(ee) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

(ff) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to section 29, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

(gg) "State board" means the state board of education.

(hh) "State foundation aid" means the amount of aid distributed to school district as determined by the state board pursuant to section 6, and amendments thereto.

(ii) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and

(ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as $\frac{1}{2}$ student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school

district.

(C) A student in attendance part-time shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the student shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student (to the nearest $\frac{1}{10}$) that the student's attendance at the non-virtual school bears to full-time attendance.

(H) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

- (a) For school years 2017-2018 and 2018-2019, one student;
- (b) for school year 2019-2020 and 2020-2021, $\frac{3}{4}$ of a student; and
- (c) for school year 2021-2022 and each school year thereafter, $\frac{1}{2}$ of a student.

(ii) This subparagraph (H) shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in subsection (ii)(2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 2016 Supp. 72-3715, and amendments thereto.

(jj) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

(kk) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to section 20, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

(ll) "Virtual school" means the same as such term is defined in K.S.A. 2016 Supp. 72-3712, and amendments thereto.

New Sec. 5. (a) The state school district finance fund, established by K.S.A. 1991 Supp. 72-7081, prior to its repeal, is hereby continued in existence and shall consist of: (1) All moneys credited to such fund under K.S.A. 2016 Supp. 72-6463 through 72-6481, prior to their expiration; and (2) all amounts transferred to such fund under sections 8, 14, 15, 30, 31 and 32, and amendments thereto.

(b) The state school district finance fund shall be used for the purpose of school district finance and for no other governmental purpose. It is the intent of the legislature that the fund shall remain intact and inviolate for such purpose, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

(c) Amounts in the state school district finance fund shall be allocated and distributed to school districts as a portion of state foundation aid provided for under this act.

New Sec. 6. In each school year, the state board shall determine the amount of state foundation aid for each school district for such school year. The state board shall determine the amount of the school district's local foundation aid for the school year. If the amount of the school district's local foundation aid is greater than the amount of total foundation aid determined for the school district for the school year, the school district shall not receive state foundation aid in any amount. If the amount of the school district's local foundation aid is less than the amount of total foundation aid determined for the school district for the school year, the state board shall subtract the amount of the school district's local foundation aid from the amount of total foundation aid. The remainder is the amount of state foundation aid the school district shall receive for the school year.

New Sec. 7. (a) The distribution of state foundation aid under this act shall be made in accordance with appropriation acts each year as provided in this section.

(b) (1) In the months of July through May of each school year, the state board shall determine the amount of state foundation aid that will be required by each school district to maintain operations in each such month. In making such determination, the state board shall take into consideration the school district's access to local foundation aid and the obligations of the general fund that must be satisfied during the month. The amount determined by the state board under this provision is the amount of state foundation aid that will be distributed to the school district in the months of July through May.

(2) In the month of June of each school year, payment shall be made of the full amount of the state foundation aid determined for the school year less the sum of the monthly payments made in the months of July through May pursuant to subsection (b) (1).

(c) Payments of state foundation aid shall be distributed to school districts once each month on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due as state foundation aid to each school district in each of the months of July through June. Such certification, and the

amount of state foundation aid payable from the state general fund, shall be approved by the director of the budget. The director of accounts and reports shall draw warrants on the state treasurer payable to the school district treasurer of each school district, pursuant to vouchers approved by the state board. Upon receipt of such warrant, each school district treasurer shall deposit the amount of state foundation aid in the general fund of the school district, except that an amount equal to the amount of federal impact aid not included in the local foundation aid of a school district may be disposed of as provided in section 38(a), and amendments thereto.

(d) If any amount of state foundation aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of state foundation aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

New Sec. 8. In the event any school district is paid more than it is entitled to receive under any distribution made under this act or under any statute repealed by this act, the state board shall notify the school district of the amount of such overpayment, and such school district shall remit the same to the state board. The state board shall remit any moneys so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund. If any school district fails to remit, the state board shall deduct the excess amounts paid from future payments becoming due to the school district. In the event any school district is paid less than the amount it is to receive under any distribution made under this act, the state board shall pay the additional amount due at any time within the school year in which the underpayment was made or within 60 days after the end of such school year.

New Sec. 9. On or before October 10 of each school year, the clerk or superintendent of each school district shall certify under oath to the state board a report showing the total enrollment of the school district by grades maintained in the schools of the school district and such other reports as the state board may require. Each such report shall show postsecondary education enrollment, career technical education enrollment, special education enrollment, bilingual education enrollment, at-risk student enrollment and virtual school enrollment in such detail and form as is specified by the state board. Upon receipt of such reports, the state board shall examine the reports and if the state board finds any errors in any such report, the state board shall consult with the school district officer furnishing the report and make any necessary corrections in the report. On or before August 25 of each year, each such clerk or superintendent shall also certify to the state board a copy of the budget adopted by the school district.

New Sec. 10. (a) If the state board determines that the enrollment of a school district in the preceding school year decreased from the enrollment in the second preceding school year and that a disaster contributed to such decrease, the enrollment of such school district in the second school year following the school year in which the enrollment of the school district was first affected by the disaster shall be the greater of:

(1) The enrollment of preschool-aged at-risk students, if any, plus the average of the enrollment for the current and the preceding three school years, excluding the

enrollment of preschool-aged at-risk students in each such year; or

(2) the enrollment of the school district, as defined in section 4, and amendments thereto.

(b) As used in this section, "disaster" means the occurrence of widespread or severe damage, injury or loss of life or property resulting from flood, earthquake, tornado, wind, storm, drought, blight or infestation.

New Sec. 11. (a) Each school year, the state board shall:

(1) Determine the number of students enrolled in each school district on September 20; and

(2) determine the number of military students enrolled in each school district on February 20, who were not enrolled on the preceding September 20.

(b) If the number obtained under subsection (a)(2) is 25 or more, or such number is at least 1% of the number determined under subsection (a)(1), an amount equal to the number obtained under subsection (a)(2) shall be added to the number determined under subsection (a)(1). The resulting sum is the enrollment of the school district.

(c) The state board shall recompute the adjusted enrollment of the school district and the general fund budget of the school district based on the enrollment as determined under this section.

(d) School districts desiring to determine enrollment under this section shall submit any documentation or information required by the state board.

(e) As used in this section, the term "military student" means a person who is a dependent of a full-time active duty member of the military service or a dependent of a member of any of the United States military reserve forces who has been ordered to active duty under 10 U.S.C. §§ 12301, 12302 or 12304, or ordered to full-time active duty for a period of more than 30 consecutive days under 32 U.S.C. §§ 502(f) or 512 for the purposes of mobilizing for war, international peacekeeping missions, national emergency or homeland defense activities.

New Sec. 12. Whenever a new school district has been established or the boundaries of a school district have been changed, the state board shall make appropriate revisions concerning the affected school districts as may be necessary for the purposes of this act to reflect such establishment of a school district or changes in boundaries. Such revisions shall be based on the most reliable data obtainable from the superintendent of the school district and the county clerk.

New Sec. 13. (a) (1) For the purposes of this act, the total foundation aid for any school district formed by consolidation in accordance with the statutory provisions contained in article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, shall be computed by the state board by determining the amount of the total foundation aid each of the former school districts that comprise the consolidated school district received in the school year preceding the date the consolidation was completed, and calculating the sum of such amounts. The sum is the total foundation aid of the consolidated school district for the school year in which the consolidation was completed.

(2) If any of the former school districts had an enrollment of less than 150 students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the two school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school

district would receive under this act.

(3) If all of the former school districts had an enrollment of at least 150 students, but any had less than 200 students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the three school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(4) If all of the former school districts had an enrollment of 200 or more students in the school year preceding the consolidation, the total foundation aid of the newly consolidated school district for the four school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(5) If the consolidation involved the consolidation of three or more school districts, regardless of the number of students enrolled in the school districts, the total foundation aid of the newly consolidated school district for the four school years following the school year in which the consolidation was completed shall be the greater of: (A) The amount received in the school year in which the consolidation was completed; or (B) the amount the school district would receive under this act.

(b) (1) The provisions of this subsection shall apply to school districts that have been enlarged by the attachment of territory pursuant to the procedure established in article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto.

(2) For the purposes of this act, the total foundation aid for any school district to which this subsection applies shall be computed by the state board of education as follows: (A) Determine the amount of the total foundation aid each of the former school districts that comprise the enlarged school district received in the school year preceding the date the attachment was completed; and (B) add the amounts determined under subparagraph (A). The sum is the total foundation aid of the enlarged school district for the school year in which the attachment is completed.

(3) If any of the former school districts had an enrollment of less than 150 students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the two school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(4) If all of the former school districts had an enrollment of at least 150 students, but any had less than 200 students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the three school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(5) If all of the former school districts had an enrollment of 200 or more students in the school year preceding the attachment, the total foundation aid of the enlarged school district for the four school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(6) If three or more school districts, regardless of the number of students enrolled in the school districts, are disorganized and attached to a single school district, the total foundation aid of the enlarged school district for the four school years following the school year in which the attachment was completed shall be the greater of: (A) The amount received in the school year in which the attachment was completed; or (B) the amount the school district would receive under this act.

(7) Except as specifically provided by this paragraph for the allocation of total foundation aid among school districts, the provisions of paragraphs (1) through (6) shall be applicable to school districts to which this paragraph applies. If a school district is disorganized in accordance with article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and the territory of such school district is attached to more than one school district, the total foundation aid for each school district to which any territory from the disorganized school district is attached, shall be computed by the state board as follows: (A) Determine the amount of total foundation aid received by the former school district in the school year preceding the date the disorganization and attachment was completed; (B) determine the amount of total foundation aid received by the enlarged school district in the school year preceding the date the disorganization and attachment was completed; (C) determine the assessed valuation of the former school district in the school year preceding the date the disorganization and attachment was completed; (D) determine the assessed valuation of the territory attached to each enlarged school district; (E) allocate the amount of the total foundation aid received by the former school district in the school year preceding the date the disorganization and attachment was completed to each of the enlarged school districts in the same proportion the assessed valuation of the territory attached to each school district bears to the assessed valuation of the former school district; and (F) add the amounts determined under subparagraphs (B) and (E). The sum is the total foundation aid of the enlarged school district for the school year in which the attachment is completed.

New Sec. 14. (a) The board of education of each school district shall levy an ad valorem tax upon the taxable tangible property of the school district in the school years specified in subsection (b) for the purpose of:

(1) Financing that portion of the school district's general fund budget that is not financed from any other source provided by law;

(2) paying a portion of the costs of operating and maintaining public schools in partial fulfillment of the constitutional obligation of the legislature to finance the educational interests of the state; and

(3) with respect to any redevelopment school district established prior to July 1, 1997, pursuant to K.S.A. 12-1771, and amendments thereto, paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district.

(b) The tax required under subsection (a) shall be levied at a rate of 20 mills in the school years 2017-2018 and 2018-2019.

(c) The proceeds from the tax levied by a district under authority of this section, except the proceeds of such tax levied for the purpose described in subsection (a)(3), shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer

shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

New Sec. 15. (a) In each school year, the board of education of a school district may adopt, by resolution, a local option budget that does not exceed the state prescribed percentage.

(b) Subject to the limitations of subsection (a), in each school year, the board of education of a school district may adopt, by resolution, a local option budget in an amount that does not exceed:

(1) The amount that the board was authorized to adopt under any resolution adopted pursuant to K.S.A. 2016 Supp. 72-6471, prior to its expiration; or

(2) the state-wide average for the preceding school year as determined by the state board pursuant to subsection (i).

The adoption of a resolution pursuant to this section shall require a majority vote of the members of the board. Such resolution shall be effective upon adoption and shall require no other procedure, authorization or approval.

(c) If the board of a school district desires to increase its local option budget authority above the amount authorized under subsection (b), the board may adopt, by resolution, such budget in an amount not to exceed the state prescribed percentage. The adoption of a resolution pursuant to this subsection shall require a majority vote of the members of the board. The resolution shall be published at least once in a newspaper having general circulation in the school district. The resolution shall be published in substantial compliance with the following form:

Unified School District No. _____, _____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to adopt a local option budget in each school year in an amount not to exceed ____% of the amount of total foundation aid. The local option budget authorized by this resolution may be adopted, unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether adoption of the local option budget shall be authorized to the electors of the school district at an election called for the purpose or at the next general election, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of unified school district No. _____, _____ County, Kansas, on the ____ day of _____, _____.

Clerk of the board of education.

All of the blanks in the resolution shall be filled appropriately. If a sufficient petition is not filed, the board may adopt a local option budget. If a sufficient petition is filed, the board may notify the county election officer of the date of an election to be held to submit the question of whether adoption of a local option budget shall be authorized. Any such election shall be noticed, called and held in the manner provided by K.S.A. 10-120, and amendments thereto. If the board fails to notify the county election officer within 30 days after a sufficient petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board within the nine months following publication of the resolution.

(d) Unless specifically stated otherwise in the resolution, the authority to adopt a local option budget shall be continuous and permanent. The board of any school district that is authorized to adopt a local option budget may choose not to adopt such a budget or may adopt a budget in an amount less than the amount authorized. If the board of any school district whose authority to adopt a local option budget is not continuous and permanent refrains from adopting a local option budget, the authority of such school district to adopt a local option budget shall not be extended by such refrainment beyond the period specified in the resolution authorizing adoption of such budget.

(e) The board of any school district may initiate procedures to renew or increase the authority to adopt a local option budget at any time during a school year after the tax levied pursuant to section 19, and amendments thereto, is certified to the county clerk under any existing authorization.

(f) The board of any school district authorized to adopt a local option budget prior to July 1, 2017, under a resolution that authorized the adoption of such budget in accordance with the provisions of K.S.A. 2016 Supp. 72-6471, prior to its expiration, may continue to operate under such resolution for the period of time specified in the resolution or may abandon the resolution and operate under the provisions of this section. Any such school district shall operate under the provisions of this section after the period of time specified in any previously adopted resolution has expired.

(g) Any resolution adopted pursuant to this section may revoke or repeal any resolution previously adopted by the board. If the resolution does not revoke or repeal previously adopted resolutions, all resolutions that are in effect shall expire on the same date. The maximum amount of the local option budget of a school district under all resolutions in effect shall not exceed the state prescribed percentage in any school year.

(h) (1) There is hereby established in each school district that adopts a local option budget a supplemental general fund, which shall consist of all amounts deposited therein or credited thereto according to law.

(2) Subject to the limitations imposed under subsection (h)(3), amounts in the supplemental general fund may be expended for any purpose for which expenditures from the general fund are authorized or may be transferred to any categorical fund of the school district. Amounts in the supplemental general fund attributable to any percentage over 25% of total foundation aid determined for the current school year may be transferred to the capital improvements fund of the school district and the capital outlay fund of the school district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(3) Amounts in the supplemental general fund may not be expended for the purpose of making payments under any lease-purchase agreement involving the acquisition of land or buildings that is entered into pursuant to the provisions of K.S.A. 72-8225, and

amendments thereto.

(4) (A) Except as provided in subsection (h)(4)(B), any unexpended moneys remaining in the supplemental general fund of a school district at the conclusion of any school year in which a local option budget is adopted shall be maintained in such fund.

(B) If the school district received supplemental state aid in the school year, the state board shall determine the ratio of the amount of supplemental general state aid received to the amount of the local option budget of the school district for the school year and multiply the total amount of the unexpended moneys remaining by such ratio. An amount equal to the amount of the product shall be transferred to the general fund of the school district or remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of any such remittance, the state treasurer shall deposit the same in the state treasury to the credit of the state school district finance fund.

(i) Each year, the state board shall determine the statewide average percentage of local option budgets legally adopted by school districts for the preceding school year.

(j) The provisions of this section shall be subject to the provisions of section 16, and amendments thereto.

(k) As used in this section:

(1) "Authorized to adopt a local option budget" means that a school district has adopted a resolution pursuant to subsection (c).

(2) "State prescribed percentage" means 33% of the total foundation aid of the school district in the current school year.

(3) "Total foundation aid" means the same as such term is defined in section 4, and amendments thereto.

New Sec. 16. (a) (1) Subject to the provisions of subsection (e), the provisions of this subsection shall apply in any school year in which the amount of BASE aid is \$4,490 or less.

(2) The board of education of a school district may adopt a local option budget that does not exceed the local option budget calculated as if the BASE aid was \$4,490, or that does not exceed the local option budget as calculated pursuant to section 15, and amendments thereto, whichever is greater.

(b) The board of education of a school district may adopt a local option budget that does not exceed the local option budget calculated as if the school district received state aid for special education and related services equal to the amount of state aid for special education and related services received in school year 2008-2009, or that does not exceed the local option budget as calculated pursuant to section 15, and amendments thereto, whichever is greater.

(c) The board of any school district may exercise the authority granted under subsection (a) or (b) or both subsections (a) and (b).

(d) To the extent that the provisions of section 15, and amendments thereto, conflict with this section, this section shall control.

(e) For school year 2019-2020, and each school year thereafter, the specified dollar amount used in subsection (a) for purposes of determining the local option budget of a school district shall be the specified dollar amount used for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately

preceding school years.

New Sec. 17. (a) In each school year, each school district that has adopted a local option budget is eligible to receive supplemental state aid. Except as provided by section 18, and amendments thereto, supplemental state aid shall be determined by the state board as provided in subsection (b).

(b) The state board shall:

(1) (A) For school year 2017-2018, determine the amount of the assessed valuation per student in the preceding school year of each school district; and

(B) for school year 2018-2019 and each school year thereafter, determine the average assessed valuation per student of each school district by adding the assessed valuation per student for each of the three immediately preceding school years and dividing the resulting sum by three;

(2) rank the school districts from low to high on the basis of the amounts of assessed valuation per student determined under subsection (b)(1);

(3) identify the amount of the assessed valuation per student located at the 81.2 percentile of the amounts ranked under subsection (b)(2);

(4) divide the assessed valuation per student of the school district as determined under subsection (b)(1) by the amount identified under subsection (b)(3); and

(5) (A) if the quotient obtained under subsection (b)(4) equals or exceeds one, the school district shall not receive supplemental state aid; or

(B) if the quotient obtained under subsection (b)(4) is less than one, subtract the quotient obtained under subsection (b)(4) from one, and multiply the difference by the amount of the local option budget of the school district for the immediately preceding school year. The resulting product is the amount of supplemental state aid the school district is to receive for the school year.

(c) Payments of supplemental state aid shall be distributed to school districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each school district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the supplemental general fund of the school district to be used for the purposes of such fund.

(d) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental state aid shall be deemed to be state moneys for educational and support services for school districts.

New Sec. 18. (a) (1) For the purposes of determining the amount of supplemental state aid, the state board shall determine the ranking of each of the former school districts of which the school district is composed as required by section 17(b)(2), and amendments thereto, for the school year prior to the effectuation of the consolidation or attachment.

(2) For the school year in which the consolidation or attachment is effectuated and the next succeeding two school years, the ranking of the school district for the purposes of section 17(b)(2), and amendments thereto, shall be the ranking of the school district receiving the highest amount of supplemental state aid determined under subsection (a) (1).

(b) The provisions of this section shall apply to school districts that have consolidated or disorganized on and after July 1, 2004.

(c) As used in this section, "school district" means:

(1) Any school district formed by consolidation in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto; or

(2) any school district formed by disorganization and attachment in accordance with article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, if all the territory which comprised a disorganized school district is attached to a single school district.

New Sec. 19. (a) In each school year, the board of each school district that has adopted a local option budget may levy an ad valorem tax on the taxable tangible property of the school district for the purposes of:

(1) Financing that portion of the school district's local option budget that is not financed from any other source provided by law;

(2) paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district; and

(3) funding transfers to the capital improvement fund of the school district and the capital outlay fund of the school district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25% of the total foundation aid determined for the current school year.

(b) The proceeds from the tax levied by a school district under authority of this section, except the proceeds of such tax levied for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, shall be deposited in the supplemental general fund of the school district.

(c) No school district shall proceed under K.S.A. 79-1964, 79-1964a or 79-1964b, and amendments thereto.

New Sec. 20. (a) The transportation weighting of each school district shall be determined by the state board as follows:

(1) Determine the total expenditures of the school district during the preceding school year from all funds for transporting students of public and nonpublic schools on regular school routes;

(2) determine the sum of: (A) The number of students who were included in the enrollment of the school district in the preceding school year who resided less than 2½ miles by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district; and (B) the number of nonresident students who were included in the enrollment of the school district for the preceding school year and for whom transportation was made available by the school district;

(3) determine the number of students who were included in the enrollment of the district in the preceding school year who resided 2½ miles or more by the usually traveled road from the school building such students attended and for whom transportation was made available by the school district;

(4) multiply the number of students determined under subsection (a)(3) by 2.8;

(5) divide the amount determined under subsection (a)(2) by the product obtained under subsection (a)(4);

(6) add one to the quotient obtained under subsection (a)(5);

(7) multiply the sum obtained under subsection (a)(6) by the amount determined under subsection (a)(3);

(8) divide the amount determined under subsection (a)(1) by the product obtained under subsection (a)(7). The resulting quotient is the per-student cost of transportation;

(9) on a density-cost graph, plot the per-student cost of transportation for each school district;

(10) construct a curve of best fit for the points so plotted;

(11) locate the index of density for the school district on the base line of the density-cost graph and from the point on the curve of best fit directly above this point of index of density follow a line parallel to the base line to the point of intersection with the vertical line, which point is the formula per-student cost of transportation of the school district;

(12) divide the formula per-student cost of transportation of the school district by the BASE aid; and

(13) multiply the quotient obtained under subsection (a)(12) by the number of students who are included in the enrollment of the school district, are residing $2\frac{1}{2}$ miles or more by the usually traveled road to the school building they attend, and for whom transportation is being made available by, and at the expense of, the district.

(b) (1) For school years 2017-2018 through 2020-2021, the transportation weighting of the school district shall be either the product determined under subsection (a)(13), or that portion of such school district's general state aid for school year 2016-2017 that was attributable to the school district's transportation weighting, whichever is greater.

(2) For school year 2021-2022, and each school year thereafter, the transportation weighting of the school district shall be the product determined under subsection (a) (13).

(c) For the purpose of providing accurate and reliable data on student transportation, the state board is authorized to adopt rules and regulations prescribing procedures that school districts shall follow in reporting pertinent information, including uniform reporting of expenditures for transportation.

(d) As used in this section:

(1) "Curve of best fit" means the curve on a density-cost graph drawn so the sum of the distances squared from such line to each of the points plotted on the graph is the least possible.

(2) "Density-cost graph" means a drawing having: (A) A horizontal or base line divided into equal intervals of density, beginning with zero on the left; and (B) a scale for per-student cost of transportation to be shown on a line perpendicular to the base line at the left end thereof, such scale to begin with zero dollars at the base line ascending by equal per-student cost intervals.

(3) "Index of density" means the number of students who are included in the enrollment of a school district in the current school year, are residing the designated distance or more by the usually traveled road from the school building they attend, and for whom transportation is being made available on regular school routes by the school district, divided by the number of square miles of territory in the school district.

New Sec. 21. (a) The low enrollment weighting of each school district shall be determined by the state board as follows:

(1) For school districts with an enrollment of fewer than 100 students, multiply the

enrollment of the school district by 1.014331. The resulting product is the low enrollment weighting of the school district;

(2) for school districts with an enrollment of at least 100 students, but fewer than 300 students:

- (A) Subtract 100 from the enrollment of the school district;
- (B) multiply the difference obtained under subsection (a)(2)(A) by 9.655;
- (C) subtract the product obtained under subsection (a)(2)(B) from 7,337;
- (D) divide the difference obtained under subsection (a)(2)(C) by 3,642.4;
- (E) subtract one from the quotient obtained under subsection (a)(2)(D); and
- (F) multiply the difference obtained under subsection (a)(2)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;

(3) for school districts with an enrollment of at least 300 students, but fewer than 1,622 students:

- (A) Subtract 300 from the enrollment of the school district;
- (B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;
- (C) subtract the product obtained under subsection (a)(3)(B) from 5,406;
- (D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;
- (E) subtract one from the quotient obtained under subsection (c)(D); and
- (F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

(b) For school districts with an enrollment of at least 1,622 students, multiply the enrollment of the school district by 0.03504. The resulting product is the high enrollment weighting of the school district.

New Sec. 22. The bilingual weighting of each school district shall be determined by the state board as follows:

(a) Determine the full-time equivalent enrollment in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.395;

(b) determine the number of students enrolled in approved programs of bilingual education during the preceding school year and multiply such enrollment by 0.185; and

(c) the bilingual weighting shall be either the amount determined under subsection (a) or (b), whichever is greater.

New Sec. 23. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) for a school district with an enrollment that consists of 10% or more at-risk students, multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district; or

(3) for a school district with an enrollment that consists of less than 10% at-risk students, multiply the number of students equal to 10% of such school district's enrollment by 0.484. The resulting sum is the at-risk student weighting of the school district. A school district whose at-risk student weighting is determined pursuant to this paragraph shall submit a report to the state board in such form and manner as required by the state board that identifies those students enrolled in such school district who are

receiving at-risk program services and the criteria each such student satisfies in order to receive at-risk program services. The state board shall adopt rules and regulations that establish the criteria for eligibility for at-risk program services. The provisions of this paragraph shall only apply to those school districts that offer instruction in kindergarten and grades one through 12.

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) Commencing in school year 2018-2019, school districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to section 25(d), and amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, 2019.

New Sec. 24. (a) If a student submits an application for free meals under the national school lunch act on or before the date on which the enrollment of the school district is calculated and it is later determined by the school district or the department of education that the student should not have been eligible for free meals, the school district or the department shall notify the state board of such determination. Except as provided in subsection (b), upon receipt of such notice, the state board shall recompute the adjusted enrollment of the school district and the general fund budget of the school district based on the adjusted enrollment of the school district excluding the at-risk student weighting and high-density at-risk student weighting, if any, assigned to such student.

(b) If a student becomes ineligible to receive free meals under the national school lunch act for failure to submit, in a timely manner, any documentation necessary for verification of eligibility as required by the national school lunch act, but subsequently submits such documentation, such student shall not be excluded from the calculation of the adjusted enrollment of the school district if the school district forwards a copy of such documentation to the state board no later than January 14 of the school year.

New Sec. 25. (a) There is hereby established in every school district an at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Commencing in school year 2018-2019, expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

(1) At-risk educational programs based on best practices identified pursuant to subsection (d);

(2) personnel providing educational services in conjunction with such programs; or

(3) services contracted for by the school district to provide at-risk educational programs based on best practices identified pursuant to subsection (d).

(d) On or before July 1, 2018, the state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. The state board shall review and update such best practices as part of its five-year accreditation system review process.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the assistance or programs provided by the school district for students identified as at-risk. Such report shall include the number of students identified as at-risk who were served or provided assistance, the type of service provided, the research upon which the school district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and

any other information required by the state board.

(f) In order to achieve uniform reporting of the number of students provided service or assistance by school districts in at-risk student programs, school districts shall report the number of students served or assisted in the manner required by the state board.

New Sec. 26. (a) There is hereby established in every school district a preschool-aged at-risk education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing preschool-aged at-risk assistance or programs shall be paid from the preschool-aged at-risk education fund.

(b) Any balance remaining in the preschool-aged at-risk education fund at the end of the budget year shall be carried forward into the preschool-aged at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the preschool-aged at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) Each year the board of each school district shall prepare and submit to the state board a report on the preschool-aged at-risk student assistance or programs provided by the school district. Such report shall include the number of students who were served or provided assistance, the type of service provided, the research upon which the school district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

New Sec. 27. (a) The career technical education weighting of each school district shall be determined by the state board by multiplying the full-time equivalent enrollment in approved career technical education programs during the preceding school year by 0.5. The resulting product is the career technical education weighting of the school district.

(b) The provisions of this section shall expire on July 1, 2019.

New Sec. 28. (a) For each school year in which the school facilities weighting may be assigned to the enrollment of the school district, such weighting of such school district shall be determined by the state board as follows:

(1) Determine the number of students included in the enrollment of the school district who are attending a new school facility;

(2) multiply the number of students determined under subsection (a)(1) by 0.25. The resulting product is the school facilities weighting of the school district.

(b) The school facilities weighting may be assigned to the enrollment of a school district only if:

(1) The school district adopted a local option budget for school year 2014-2015 in an amount equal to at least 25% of the amount of the state financial aid determined for the school district in such school year pursuant to K.S.A. 72-6433, prior to its repeal;

(2) the contractual bond obligations incurred by the school district were approved by the electors of the school district at an election held on or before July 1, 2015; and

(3) (A) the school district commences operation of a new school facility and the construction of such facility was financed primarily with such contractual bond obligations; or

(B) the school district commences operation of a new school facility and the construction of such facility was financed primarily with federal funds and such facility is located on a military reservation.

(c) The school facilities weighting may be assigned to the enrollment of the school district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

New Sec. 29. The special education and related services weighting of each school district shall be determined by the state board as follows:

(a) Add the amount of payments received by the school district under the provisions of K.S.A. 72-979, and amendments thereto, to the amount of any grants received by the school district under the provisions of K.S.A. 72-983, and amendments thereto; and

(b) divide the sum obtained under subsection (a) by the BASE aid. The resulting quotient is the special education and related services weighting of the school district.

New Sec. 30. (a) (1) The board of education of a school district to which the provisions of this section apply may levy an ad valorem tax on the taxable tangible property of the school district each year for a period of time not to exceed two years in an amount not to exceed the amount authorized by the state board of tax appeals under this subsection for the purpose of financing the costs incurred by the state that are directly attributable to assignment of ancillary school facilities weighting to the enrollment of the school district. The state board of tax appeals may authorize the school district to make a levy that will produce an amount that is not greater than the difference between the amount of costs directly attributable to commencing operation of one or more new school facilities and the amount that is financed from any other source provided by law for such purpose. If the school district is not eligible, or will be ineligible, for ancillary school facilities weighting in any one or more years during the two-year period for which the school district is authorized to levy a tax under this subsection, the state board of tax appeals may authorize the school district to make a levy, in such year or years of ineligibility, that will produce an amount that is not greater than the actual amount of costs attributable to commencing operation of the facility or facilities.

(2) The state board of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this subsection.

(3) The state board of tax appeals may adopt rules and regulations necessary to effectuate the provisions of this subsection, including rules and regulations relating to the evidence required in support of a school district's claim that the costs attributable to commencing operation of one or more new school facilities are in excess of the amount that is financed from any other source provided by law for such purpose.

(b) The board of education of a school district that has levied an ad valorem tax on the taxable tangible property of the school district each year for a period of two years under authority of subsection (a) may continue to levy such tax under authority of this subsection each year for an additional period of time not to exceed six years in an amount not to exceed the amount computed by the state board as provided in this subsection if the board of the school district determines that the costs attributable to commencing operation of one or more new school facilities are significantly greater than the costs attributable to the operation of other school facilities in the school district. The tax authorized under this subsection may be levied at a rate that will produce an

amount that is not greater than the amount computed by the state board as provided in this subsection. In computing such amount, the state board shall:

(1) Determine the amount produced by the tax levied by the school district under authority of subsection (a) in the second year for which such tax was levied and add to such amount the amount of state foundation aid directly attributable to ancillary school facilities weighting that was received by the school district in the same year;

(2) compute 90% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the first year of the six-year period for which the school district may levy a tax under authority of this subsection;

(3) compute 75% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the second year of the six-year period for which the school district may levy a tax under authority of this subsection;

(4) compute 60% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the third year of the six-year period for which the school district may levy a tax under authority of this subsection;

(5) compute 45% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the fourth year of the six-year period for which the school district may levy a tax under authority of this subsection;

(6) compute 30% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the fifth year of the six-year period for which the school district may levy a tax under authority of this subsection; and

(7) compute 15% of the amount of the sum obtained under subsection (b)(1), which computed amount is the amount the school district may levy in the sixth year of the six-year period for which the school district may levy a tax under authority of this subsection.

In determining the amount produced by the tax levied by the school district under authority of subsection (a), the state board shall include any moneys apportioned to the ancillary school facilities fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(c) The proceeds from any tax levied by a school district under authority of this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(d) The ancillary school facilities weighting may be assigned to the enrollment of a school district only if the school district has levied a tax under the authority of subsection (a), and remitted the proceeds from such tax to the state treasurer. The ancillary school facilities weighting of each school district shall be determined in each school year in which such weighting may be assigned to the enrollment of the school district as follows:

(1) Add the amount to be produced by a tax levy as authorized under subsection (a) and certified to the state board by the state board of tax appeals to the amount computed

under subsection (b) to be produced by a tax levy, if any; and

(2) divide the sum obtained under subsection (d)(1) by the BASE aid. The resulting quotient is the ancillary school facilities weighting of the school district.

(e) The provisions of this section apply to any school district that:

(1) Commenced operation of one or more new school facilities in the school year preceding the current school year or has commenced or will commence operation of one or more new school facilities in the current school year;

(2) adopted a local option budget; and

(3) is experiencing extraordinary enrollment growth as determined by the state board.

New Sec. 31. (a) Subject to subsection (b), the board of education of a school district may levy a tax on the taxable tangible property within the school district for the purpose of financing the costs incurred by the state that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(b) The state board shall determine whether a school district may levy a tax under this section as follows:

(1) Determine the statewide average appraised value of single family residences for the calendar year preceding the current school year;

(2) multiply the amount determined under subsection (b)(1) by 1.25;

(3) determine the average appraised value of single family residences in each school district for the calendar year preceding the current school year; and

(4) subtract the amount determined under subsection (b)(2) from the amount determined under subsection (b)(3). If the amount determined for the school district is a positive number and the school district has adopted a local option budget in an amount equal to at least 31% of the total foundation aid for the school district, the school district qualifies for assignment of cost-of-living weighting and may levy a tax on the taxable tangible property of the school district for the purpose of financing the costs that are attributable directly to assignment of the cost-of-living weighting to the enrollment of the school district.

(c) (1) No tax may be levied under this section unless the board of education adopts a resolution authorizing such a tax levy and publishes the resolution at least once in a newspaper having general circulation in the school district. Except as provided by subsection (e), the resolution shall be published in substantial compliance with the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The board of education of the above-named school district shall be authorized to levy an ad valorem tax in an amount not to exceed the amount necessary to finance the costs attributable directly to the assignment of cost-of-living weighting to the enrollment of the school district. The ad valorem tax authorized by this resolution may be levied unless a petition in opposition to the same, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 30 days after the publication of this resolution. If a petition is filed, the county election officer shall submit the question of whether the levy

of such a tax shall be authorized in accordance with the provisions of this resolution to the electors of the school district at the next general election of the school district, as is specified by the board of education of the school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, (year)_____.

Clerk of the board of education.

(2) All of the blanks in the resolution shall be filled appropriately. If no petition as specified above is filed in accordance with the provisions of the resolution, the resolution authorizing the ad valorem tax levy shall become effective. If a petition is filed as provided in the resolution, the board may notify the county election officer to submit the question of whether such tax levy shall be authorized. If the board fails to notify the county election officer within 30 days after a petition is filed, the resolution shall be deemed abandoned and of no force and effect and no like resolution shall be adopted by the board within the nine months following publication of the resolution. If a majority of the votes cast in an election conducted pursuant to this provision is in favor of the resolution, such resolution shall be effective on the date of such election. If a majority of the votes cast is not in favor of the resolution, the resolution shall be deemed of no force and effect and no like resolution shall be adopted by the board within the nine months following such election.

(d) There is hereby established in every school district a cost-of-living fund, which shall consist of all moneys deposited therein or transferred thereto in accordance with law. All moneys derived from a tax imposed pursuant to this section shall be credited to the cost-of-living fund. The proceeds from the tax levied by a school district credited to the cost-of-living fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(e) In determining the amount produced by the tax levied by the school district under the authority of this section, the state board shall include any moneys apportioned to the cost-of-living fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(f) The cost-of-living weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the enrollment of the school district as follows:

(1) Divide the amount determined under subsection (b)(4) by the amount determined under subsection (b)(2);

(2) multiply the quotient determined under subsection (f)(1) by 0.095;

(3) multiply the school district's total foundation aid for the current school year, excluding the amount determined under this provision, by the lesser of the product determined under subsection (f)(2) or 0.05; and

(4) divide the product determined under subsection (f)(3) by the BASE aid for the current school year. The quotient is the cost-of-living weighting of the school district.

New Sec. 32. (a) (1) (A) The board of education of a school district may levy an ad

valorem tax on the taxable tangible property of the school district each year for a period of time not to exceed two years, unless authority to make such levy is renewed by the state board of tax appeals, in an amount not to exceed the amount authorized by the state board of tax appeals under this section for the purpose of financing the costs incurred by the state that are directly attributable to assignment of declining enrollment weighting to the enrollment of the school district. The state board of tax appeals may authorize the school district to make a levy that will produce an amount that is not greater than the amount of revenues lost as a result of the declining enrollment of the school district. Such amount shall not exceed 5% of the general fund budget of the school district in the school year in which the school district applies to the state board of tax appeals for authority to make a levy pursuant to this subsection. The state board of tax appeals may renew the authority to make such levy for periods of time not to exceed two years.

(B) For school year 2017-2018, as an alternative to the authority provided in subsection (a)(1)(A), if a school district was authorized to make a levy pursuant to K.S.A. 72-6451, prior to its repeal, in school year 2006-2007, such school district shall remain authorized to make a levy at a rate necessary to generate revenue equal to $\frac{1}{2}$ of the amount that was generated in school year 2007-2008.

(2) The state board of tax appeals shall certify to the state board the amount authorized to be produced by the levy of a tax under this section.

(3) The state board shall prescribe guidelines for the data that school districts shall include in cases before the state board of tax appeals pursuant to this section. The state board shall provide to the state board of tax appeals such school data and information requested by the state board of tax appeals and any other information deemed necessary by the state board.

(b) There is hereby established in every school district a declining enrollment fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The proceeds from the tax levied by a school district under authority of this section shall be credited to the declining enrollment fund of the school district. The proceeds from the tax levied by a school district credited to the declining enrollment fund shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state school district finance fund.

(c) In determining the amount produced by the tax levied by the school district under authority of this section, the state board shall include any moneys apportioned to the declining enrollment fund of the school district from taxes levied under the provisions of K.S.A. 79-5101 et seq. and 79-5118 et seq., and amendments thereto.

(d) The declining enrollment weighting of a school district shall be determined by the state board in each school year in which such weighting may be assigned to the enrollment of the school district. The state board shall divide the amount certified under subsection (a)(2) by the BASE aid. The resulting quotient is the declining enrollment weighting of the school district.

(e) As used in this section:

(1) "Declining enrollment" means an enrollment that has declined in amount from that of the second preceding school year.

(2) "School district" means a school district that: (A) Has a declining enrollment;

and (B) has adopted a local foundation budget in an amount that equals at least 31% of the total foundation aid for the school district at the time the school district applies to the state board of tax appeals for authority to make a levy pursuant to this section.

(f) The provisions of this section shall expire on July 1, 2018.

New Sec. 33. For the purpose of determining the general fund budget of a school district, weightings shall not be assigned to a student enrolled in and attending KAMS. Moneys in the general fund that are attributable to a student enrolled in and attending KAMS shall not be included in the computation of the local option budget of the school district.

New Sec. 34. (a) There is hereby established in every school district a career and postsecondary education fund, which shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by a school district for any course or program authorized and approved under the provisions of article 44 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, except for courses and programs conducted in an area vocational school, shall be credited to the career and postsecondary education fund. All moneys received by the school district from tuition, fees or charges or from any other source for career technical education courses or programs, except for courses and programs conducted in an area vocational school, shall be credited to the career and postsecondary education fund. All moneys received by the school district from tuition, fees or charges or from any other source for postsecondary education courses or programs shall be credited to the career and postsecondary education fund.

(b) Expenditures made by a school district that are directly attributable to the following shall be paid from the career and postsecondary education fund:

- (1) Career technical education;
- (2) postsecondary education courses; and
- (3) courses provided through distance-learning technology.

(c) Any balance remaining in the career and postsecondary education fund at the end of the budget year shall be carried forward into the career and postsecondary education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the career and postsecondary education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district.

New Sec. 35. There is hereby established in every school district a driver training fund, which shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district from distributions made from the state safety fund and the motorcycle safety fund and from tuition, fees or charges for driver training courses shall be credited to the driver training fund. The expenses of a school district directly attributable to driver training shall be paid from the driver training fund.

New Sec. 36. There is hereby established in every school district a food service fund, which shall consist of all moneys deposited therein or transferred thereto according to law. All moneys received by the school district for food service and from charges for food service shall be credited to the food service fund. The expenses of a school district attributable to food service shall be paid from the food service fund.

New Sec. 37. There is hereby established in every school district a contingency reserve fund, which shall consist of all moneys deposited therein or transferred thereto according to law. The fund shall be maintained for payment of expenses of a school district attributable to financial contingencies as determined by the board.

New Sec. 38. (a) Except as otherwise provided in this section, any revenues of a school district, not required by law to be deposited in or credited to a specific fund, shall be deposited in or credited to any categorical fund of the school district or to the capital outlay fund of the school district.

(b) At the discretion of the board of education of a school district, revenues earned from the investment of an activity fund of the school district in accordance with the provisions of K.S.A. 12-1675, and amendments thereto, may be deposited in or credited to such activity fund.

(c) (1) At the discretion of the board and subject to subsection (c)(2), any revenues specified in subsections (a) and (b) may be deposited in or credited to the general fund of the school district in any school year for which the allotment system authorized under K.S.A. 75-3722, and amendments thereto, has been inaugurated and applied to appropriations made for state foundation aid, or in any school year for which any portion of the appropriations made for state foundation aid are lapsed by an act of the legislature.

(2) In no event may the amount of revenues deposited in or credited to the general fund of the school district under authority of subsection (c)(1) exceed an amount equal to the amount of the reduction in state foundation aid paid to the school district determined by the state board to be the result of application of the allotment system to the appropriations made for state foundation aid or of the lapse of any portion thereof by an act of the legislature.

(d) At the discretion of the board, revenues received by the school district from the federal government as the school district's share of the proceeds derived from sale by the federal government of its rights to oil, gas and other minerals located beneath the surface of lands within the school district's boundaries may be deposited in the bond and interest fund of the school district and used for the purposes of such fund. If at any time all indebtedness and obligations of such fund have been fully paid and canceled, the revenues authorized by this subsection to be deposited in such fund shall be disposed of as provided in subsection (a).

(e) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and amendments thereto, conflict with this section, this section shall control.

New Sec. 39. (a) Any lawful transfer of moneys from the general fund of a school district to any other fund shall be an operating expense in the year the transfer is made. The board of education of a school district may transfer moneys from the general fund to any categorical fund of the school district in any school year.

(b) The board may transfer moneys from the general fund to the contingency reserve fund of the school district, subject to any limitations imposed upon the amount authorized to be maintained in the contingency reserve fund.

(c) The board may transfer moneys from the general fund to the:

- (1) Capital outlay fund;
- (2) special reserve fund;
- (3) special liability expense fund; and
- (4) textbook and student materials revolving fund.

(d) In each school year, the board may transfer to its general fund from any fund to which transfers from the general fund are authorized an amount not to exceed an amount equal to the amount transferred from the general fund to any such fund in the same school year.

New Sec. 40. Expenditures of a school district for the following purposes are not operating expenses:

(a) Payments to another school district in an adjustment of rights as provided in K.S.A. 72-6776, and amendments thereto, or upon transfer of territory as provided in K.S.A. 72-7105, 72-7106 or 72-7107, and amendments thereto, if paid from any fund other than the general fund;

(b) payments to another school district under K.S.A. 72-7105a, and amendments thereto;

(c) the maintenance of student activities that are reimbursed;

(d) expenditures from any lawfully authorized fund of a school district other than its general fund;

(e) the provision of educational services for students residing at the Flint Hills job corps center, students housed at a psychiatric residential treatment facility or students confined in a juvenile detention facility for which the school district is reimbursed by a grant of state moneys as provided in K.S.A. 72-8187, and amendments thereto; and

(f) programs financed, in part or in whole, by federal funds that may be expended although not included in the budget of the school district, excluding funds received under the provisions of title I of public law 874, but not including in such exclusion amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program, to the extent of the federal funds to be provided.

New Sec. 41. If in any school year a school district expends an amount for operating expenses that exceeds its general fund budget, the state board shall determine the excess and deduct the same from amounts of state foundation aid payable to the school district during the next succeeding school year.

New Sec. 42. (a) In order to accomplish the mission for Kansas education, the state board shall design and adopt a school district accreditation system based upon improvement in performance that equals or exceeds the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto, and is measurable. On or before January 15, 2018, and each January 15 thereafter, the state board shall prepare and submit a report on the school district accreditation system to the governor and the legislature.

(b) The state board shall establish curriculum standards that reflect high academic standards for the core academic areas of mathematics, science, reading, writing and social studies. The curriculum standards shall be reviewed at least every seven years. Nothing in this subsection shall be construed in any manner so as to impinge upon any school district's authority to determine its own curriculum.

(c) The state board shall provide for statewide assessments in the core academic areas of mathematics, science, reading, writing and social studies. The board shall ensure compatibility between the statewide assessments and the curriculum standards established pursuant to subsection (b). Such assessments shall be administered at three grade levels, as determined by the state board. The state board shall determine performance levels on the statewide assessments, the achievement of which represents high academic standards in the academic area at the grade level to which the assessment

applies. The state board should specify high academic standards both for individual performance and school performance on the assessments.

(d) Each school year, on such date as specified by the state board, each school district shall submit the Kansas education system accreditation report to the state board in such form and manner as prescribed by the state board.

(e) Whenever the state board determines that a school district has failed either to meet the accreditation requirements established by rules and regulations or standards adopted by the state board or provide curriculum based on state standards and courses required by state law, the state board shall so notify the school district. Such notice shall specify the accreditation requirements that the school district has failed to meet and the curriculum that it has failed to provide. Upon receipt of such notice, the board of education of such school district is encouraged to reallocate the resources of the school district to remedy all deficiencies identified by the state board.

(f) Each school in every school district shall establish a school site council composed of the principal and representatives of teachers and other school personnel, parents of students attending the school, the business community and other community groups. School site councils shall be responsible for providing advice and counsel in evaluating state, school district, and school site performance goals and objectives and in determining the methods that should be employed at the school site to meet these goals and objectives. Site councils may make recommendations and proposals to the school board regarding budgetary items and school district matters, including, but not limited to, identifying and implementing the best practices for developing efficient and effective administrative and management functions. Site councils also may help school boards analyze the unique environment of schools, enhance the efficiency and maximize limited resources, including outsourcing arrangements and cooperative opportunities as a means to address limited budgets.

New Sec. 43. (a) On or before January 15 of each year, the state department of education shall prepare and submit reports on school district funding for each school district to the governor and the legislature.

(b) Each report shall contain the information described in subsection (c) for the school district in terms of actual dollar amounts for the second and immediately preceding school years and budgeted dollar amounts for the current school year.

(c) Each report shall contain the following information for the school district:

- (1) Full-time equivalent enrollment;
- (2) demographic information, including, but not limited to, gender, race, ethnicity, students who are economically disadvantaged, migrants, English language learners and students with disabilities;
- (3) total general and supplemental general funds, including a showing of funding provided by federal sources, state sources and local sources, and total funds per student;
- (4) total capital outlay funds, including a showing of such funding provided by federal sources, state sources and local sources, and capital outlay funds per student;
- (5) total bond and interest funds, including a showing of such funding provided by federal sources, state sources and local sources, and bond and interest funds per student;
- (6) total of all other funds not described in paragraphs (3), (4) and (5), excluding fund transfers, including a showing of such funding provided by federal sources, state sources and local sources, and total funds per student;
- (7) total funds per student of all funds described in paragraphs (3) through (6);

- (8) general fund moneys attributable to the following:
 - (A) BASE aid;
 - (B) high enrollment weighting;
 - (C) low enrollment weighting;
 - (D) school facilities weighting;
 - (E) transportation weighting;
 - (F) at-risk student weighting;
 - (G) preschool-aged at-risk student weighting;
 - (H) high-density at-risk student weighting;
 - (I) career technical education weighting;
 - (J) special education and related services weighting;
 - (K) bilingual weighting;
 - (L) ancillary school facilities weighting;
 - (M) cost-of-living weighting;
 - (N) declining enrollment weighting; and
 - (O) virtual school state aid;
 - (9) total expenditures on the following:
 - (A) At-risk education programs and services;
 - (B) preschool-aged at-risk education programs and services;
 - (C) bilingual education programs and services;
 - (D) career and technical education programs and services;
 - (E) special education and related services; and
 - (F) virtual school programs and services; and
 - (10) total expenditures from the special retirement contributions fund.
- (d) The state board shall provide uniform guidelines for what constitutes total expenditures for the programs and services listed under subsection (c)(9).

New Sec. 44. (a) On or before July 1, 2021, the legislature shall:

(1) Consider the information reviewed pursuant to subsection (b), and determine if any provisions of this act are not reasonably calculated to provide adequate educational opportunities to every K-12 public education student in Kansas.

(2) (A) Review the school year 2020-2021 BASE aid amount and evaluate whether such BASE aid amount is reasonably calculated to have all students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(B) Such evaluation shall be based on a successful school model that identifies successful school districts based on the percentage of at-risk students in such districts in relation to the following outcomes:

(i) The percentage of students at grade level on state math and English/language arts assessments;

(ii) the percentage of students that are college and career ready on state math and English/language arts assessments;

(iii) the average composite ACT score; and

(iv) the four-year graduation rate.

(C) Such evaluation shall identify school districts that exceed expected outcomes and shall also identify school districts that have an average scaled difference on the outcome measures greater than or equal to one standard deviation from the average scaled difference of all districts. Those school districts that are identified as successful school districts in relation to other similarly situated districts may be used to evaluate

whether the BASE aid amount is reasonably calculated to ensure that students will continue to meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(b) (1) On or before July 1, 2018, the house and senate standing committees on education shall review the low enrollment weighting and the high enrollment weighting, as such terms are defined in section 4, and amendments thereto, and alternatives to such weightings, including, but not limited to, a sparsity weighting. Such review shall be to ensure that the weightings are reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(2) On or before July 1, 2019, the house and senate standing committees on education shall review the following:

(A) Reports submitted to the legislature pursuant to sections 42, 43 and 49, and amendments thereto; and

(B) the legislative post audit reports conducted pursuant to section 45, and amendments thereto, that were completed prior to July 1, 2019.

(3) On or before July 1, 2020, the house and senate standing committees on education shall review virtual school programs and the virtual school state aid calculation as described in K.S.A. 2016 Supp. 72-3715, and amendments thereto.

(4) On or before July 1, 2021, the house and senate standing committees on education shall review the at-risk student weighting, as such term is defined in section 4, and amendments thereto, to ensure that such weighting is reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(5) On or before July 1, 2023, and on or before July 1, 2026, the house and senate standing committees on education shall review the successful school model described in this subsection (a) to review whether it is an effective model in determining successful schools and to ensure the BASE aid amount is reasonably calculated to meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

(6) On or before July 1, 2024, the house and senate standing committees on education shall review the bilingual student weighting, as such term is defined in section 4, and amendments thereto, to ensure that such weighting is reasonably calculated to have students meet or exceed the educational goal set forth in K.S.A. 2016 Supp. 72-1127(c), and amendments thereto.

New Sec. 45. The legislative post audit committee shall direct the legislative division of post audit to conduct the following performance audits in the fiscal year specified:

(a) A performance audit of transportation services funding. The audit should include a comparison of the amount of transportation services funding school districts receive to the cost of providing transportation services. This performance audit shall be conducted during fiscal year 2018, and the final audit report shall be submitted to the legislature on or before January 15, 2018.

(b) A performance audit of at-risk education funding. The audit should evaluate the method of counting students for at-risk education funding, the level of the at-risk student weighting and high-density at-risk student weighting under the act and how school districts are expending moneys provided for at-risk education. This performance audit shall be conducted during fiscal year 2020, and the final audit report shall be

submitted to the legislature on or before January 15, 2020.

(c) A performance audit of bilingual education funding. The audit should evaluate the method of counting students for bilingual education funding, the level of the bilingual weighting under the act and how school districts are expending moneys provided for bilingual education. This performance audit shall be conducted during fiscal year 2023, and the final audit report shall be submitted to the legislature on or before January 15, 2023.

(d) A study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following:

(1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;

(2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;

(3) the scope of each virtual school program; and

(4) the effectiveness of each virtual school program with respect to student performance and outcomes.

The audit shall be conducted during fiscal year 2024, and the final audit report shall be submitted to the legislature on or before January 15, 2024.

(e) (1) A performance audit to provide a reasonable estimate of the cost of providing educational opportunities for every public school student in Kansas to achieve the performance outcome standards adopted by the state board of education. This performance audit shall be conducted three times as follows:

(A) During fiscal year 2019, and the final report submitted to the legislature on or before January 15, 2019;

(B) during fiscal year 2022, and the final report submitted to the legislature on or before January 15, 2022; and

(C) during fiscal year 2025, and the final report submitted to the legislature on or before January 15, 2025.

(2) Each performance audit required under this subsection shall:

(A) Include reasonable estimates of the costs of providing specialized education services as required by law, including, but not limited to, special education and related services, bilingual education and at-risk programs; and

(B) account for other factors which may contribute to variations in costs incurred by school districts, including, but not limited to, total district enrollment and geographic location within the state.

(3) In conducting each performance audit required under this subsection:

(A) Any examination of historical data and expenditures shall correct any recognized inadequacy of such data or expenditure through a statistically valid method of extrapolation; and

(B) subject to the limitations of the division of legislative post audit budget and appropriations therefor, the legislative post auditor may enter into contracts with consultants as the post auditor deems necessary.

(f) A performance audit to identify best practices in successful schools. The audit should include a comparison of the educational methods and other practices of demographically similar school districts that achieve significantly different student outcomes based on performance outcome standards adopted by the state board of

education. This performance audit shall be conducted during fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021. The audit shall be conducted a second time during fiscal year 2026, and the final audit report shall be submitted to the legislature on or before January 15, 2026.

New Sec. 46. The state board may adopt rules and regulations for the administration of this act, including the classification of expenditures of school districts to ensure uniform reporting of operating expenses.

New Sec. 47. The provisions of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, shall not be severable. If any provision of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, is held to be invalid or unconstitutional by court order, all provisions of the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, shall be null and void.

New Sec. 48. The Kansas school equity and enhancement act, sections 3 through 48, and amendments thereto, shall expire on July 1, 2027.

New Sec. 49. (a) The state department of education shall conduct a study of the cost of career technical education programs offered by school districts, including, but not limited to, the following:

- (1) The career technical education programs offered by school districts;
- (2) the costs associated with offering such programs, including salaries and wages, materials, equipment and facilities; and
- (3) the coordination between school districts, community colleges and technical colleges in offering such programs.

(b) On or before January 15, 2018, the state department of education shall prepare a report on its findings and shall make recommendations on amendments to the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, for the financing of career technical education programs using a tiered technical education model or other funding model. The report shall be submitted to the governor and the legislature.

(c) The provisions of this section shall expire on July 1, 2018.

New Sec. 50. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all moneys transferred thereto under the provisions of subsection (d).

(b) Each school district that levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this section.

(c) The state board shall:

(1) Determine the amount of the assessed valuation per student of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the assessed valuation per student of a school district for the purposes of this subsection;

(2) determine the median assessed valuation per student of all school districts;

(3) prepare a schedule of dollar amounts using the amount of the median assessed valuation per student of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the assessed valuation per

student of the school district with the highest assessed valuation per student of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the assessed valuation per student of the school district with the lowest assessed valuation per student of all school districts;

(4) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median assessed valuation per student shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median assessed valuation per student by one percentage point for each \$1,000 interval above the amount of the median assessed valuation per student, and increasing the state aid computation percentage assigned to the amount of the median assessed valuation per student by one percentage point for each \$1,000 interval below the amount of the median assessed valuation per student. The state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the assessed valuation per student of the school district, except that the state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(5) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto; and

(6) multiply the amount computed under subsection (c)(5), but not to exceed eight mills, by the applicable state aid percentage factor. The resulting product is the amount of payment the school district is to receive from the school district capital outlay state aid fund in the school year.

(d) The state board shall certify to the director of accounts and reports the amount of school district capital outlay state aid determined under the provisions of subsection (c), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital outlay state aid fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund.

(e) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district, and the director of accounts and reports shall draw a warrant on the state treasury payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

New Sec. 51. (a) Each school district may submit an application to the state board of education for approval of extraordinary declining enrollment state aid. Such application shall be submitted in such form and manner as prescribed by the state board, and shall include a description of the extraordinary decline in enrollment of the school district that is the basis for the application.

(b) The state board shall review all submitted applications and approve or deny any such application based on whether the applicant school district has demonstrated extraordinary declining enrollment since school year 2014-2015. As part of its review of an application, the state board may conduct a hearing and provide the applicant school district an opportunity to present testimony as to such school district's extraordinary declining enrollment. In reviewing the application, the state board shall consider the

decrease in enrollment of the school district since school year 2014-2015.

(c) If the state board approves an application, it shall determine the amount of extraordinary declining enrollment state aid to be disbursed to the applicant school district from the school district extraordinary declining enrollment fund. In approving any application for extraordinary declining enrollment state aid, the state board may approve an amount of extraordinary declining enrollment state aid that is less than the amount the school district requested in the application. If the state board denies an application, then, within 15 days of such denial, the state board shall send written notice of such denial to the superintendent of such school district. All administrative proceedings pursuant to this section shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Any action by the state board pursuant to this section shall be subject to review in accordance with the Kansas judicial review act.

(d) There is hereby established in the state treasury the school district extraordinary declining enrollment fund, which shall be administered by the state department of education. All expenditures from the school district extraordinary declining enrollment fund shall be used for the disbursement of extraordinary declining enrollment state aid as approved by the state board under this section. All expenditures from the school district extraordinary declining enrollment fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state board of education, or the designee of the state board of education.

(e) The provisions of this section shall expire on July 1, 2018.

New Sec. 52. No ad valorem tax exemption for real or personal property granted after the effective date of this act by the board of tax appeals pursuant to the provisions of either: (a) Section 13 of article 11 of the constitution of the state of Kansas; or (b) K.S.A. 12-1740 et seq. and 79-201a *Second* or *Twenty-Fourth*, and amendments thereto, for any property purchased with the proceeds of revenue bonds shall be deemed to exempt any such property from the ad valorem property tax levied by a school district pursuant to the provisions of K.S.A. 72-8801, and amendments thereto. The provisions of this section shall not apply to exemptions granted by the board of tax appeals when the associated resolution of intent, letter of intent or inducement resolution to issue revenue bonds and grant property tax abatement was approved by any governing body of any city or the board of commissioners of any county or the public hearing required by K.S.A. 79-251, and amendments thereto, was conducted prior to May 1, 2017.

Sec. 53. K.S.A. 2016 Supp. 10-1116a is hereby amended to read as follows: 10-1116a. The limitations on expenditures imposed under the cash-basis law shall not apply to:

(a) Expenditures in excess of current revenues made for municipally owned and operated utilities out of the fund of such utilities caused by, or resulting from the meeting of, extraordinary emergencies including drought emergencies. In such cases expenditures in excess of current revenues may be made by declaring an extraordinary emergency by resolution adopted by the governing body and such resolution shall be published at least once in a newspaper of general circulation in such city. Thereupon, such governing body may issue interest bearing no-fund warrants on such utility fund in an amount, including outstanding previously issued no-fund warrants, not to exceed 25% of the revenues from sales of service of such utility for the preceding year. Such

warrants shall be redeemed within three years from date of issuance and shall bear interest at a rate of not to exceed the maximum rate of interest prescribed by K.S.A. 10-1009, and amendments thereto. Upon the declaration of a drought emergency, the governing body may issue such warrants for water system improvement purposes in an amount not to exceed 50% of the revenue received from the sale of water for the preceding year. Such warrants shall be redeemed within five years from the date of issuance and shall bear interest at a rate not to exceed the maximum rate of interest prescribed by K.S.A. 10-1009, and amendments thereto.

(b) Expenditures in any month by school districts which are in excess of current revenues if the deficit or shortage in revenues is caused by, or a result of, the payment of state aid after the date prescribed for the payment of state aid during such month under ~~K.S.A. 2016 Supp. 72-6466~~ section 7, and amendments thereto.

Sec. 54. K.S.A. 2016 Supp. 12-1677 is hereby amended to read as follows: 12-1677. (a) Except as otherwise required by state or federal law, all moneys earned and collected from investments by counties, area vocational-technical schools and quasi-municipal corporations authorized in this act shall be credited to the general fund of such county, area vocational-technical school or quasi-municipal corporation by the treasurer thereof, and all moneys earned and collected from investments by school districts authorized in this act shall be credited ~~to the general fund of the school district~~ in accordance with the provisions of section 38, and amendments thereto.

(b) The treasurer of each county, school district, area vocational-technical school or quasi-municipal corporation shall maintain a complete record of all investments authorized in this act and shall make a quarterly written report of such record to the governing body of such county, school district, area vocational-technical school or quasi-municipal corporation.

Sec. 55. K.S.A. 2016 Supp. 12-1742 is hereby amended to read as follows: 12-1742. Such agreements shall provide for a rental sufficient to repay the principal of and the interest on the revenue bonds. Such agreements also may provide that the lessee shall reimburse the city or county for its actual costs of administering and supervising the issue. The city or county may charge an origination fee. Such fee shall not be deemed a payment in lieu of taxes hereunder. Such fee shall be used exclusively for local economic development activities but shall not be used to pay any administrative costs of the city or county. Except for the origination fee, all other fees paid in excess of such actual costs and any other obligation assumed under the contract shall be deemed payments in lieu of taxes and distributed as provided herein. If the agreement provides for a payment in lieu of taxes to the city or county, such payment, immediately upon receipt of same, shall be transmitted by the city or county to the county treasurer of the county in which the city is located. Payments in lieu of taxes received pursuant to agreements entered into after the effective date of this act shall include all fees or charges paid for services normally and customarily paid from the proceeds of general property tax levies, except for extraordinary services provided for the facility or an extraordinary level of services required by a facility. Payments in lieu of taxes may be required only upon property for which an exemption from ad valorem property taxes has been granted by the state board of tax appeals. The county treasurer shall apportion such payment among the taxing subdivisions of this state in the territory in which the facility is located. Any payment in lieu of taxes shall be divided by the county treasurer among such taxing subdivisions in the same proportion that the amount of the total mill

levy of each individual taxing subdivision bears to the aggregate of such levies of all the taxing subdivisions among which the division is to be made. For purposes of this section, the total mill levy shall not include the mill levy imposed pursuant to K.S.A. 72-8801, and amendments thereto. The county treasurer shall pay such amounts to the taxing subdivisions at the same time or times as their regular operating tax rate mill levy is paid to them. Based upon the assessed valuation which such facility would have if it were upon the tax rolls of the county, the county clerk shall compute the total of the property taxes which would be levied upon such facility by all taxing subdivisions within which the facility is located if such property were taxable.

Sec. 56. K.S.A. 2016 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

- (A) A substantial number of deteriorated or deteriorating structures;
 - (B) predominance of defective or inadequate street layout;
 - (C) unsanitary or unsafe conditions;
 - (D) deterioration of site improvements;
 - (E) tax or special assessment delinquency exceeding the fair market value of the real property;
 - (F) defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;
 - (G) improper subdivision or obsolete platting or land uses;
 - (H) the existence of conditions which endanger life or property by fire or other causes; or
 - (I) conditions which create economic obsolescence;
- (2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action;
- (3) a majority of the property is a 100-year floodplain area; or
- (4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may

become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
 - (2) illegal use of individual structures;
 - (3) the presence of structures below minimum code standards;
 - (4) building abandonment;
 - (5) excessive vacancies;
 - (6) overcrowding of structures and community facilities; or
 - (7) inadequate utilities and infrastructure.
- (e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city and other than an agency, political subdivision or instrumentality of the state or a county when relating to a bioscience development district.

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area, bioscience development area or a building or buildings which are 65 years of age or older and any contiguous vacant or condemned lots.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to K.S.A. 12-1771a(b), and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) (1) "Feasibility study" means:

(A) A study which shows whether a redevelopment project's or bioscience development project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1), and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment or bioscience development project costs; and

(B) the effect, if any, the redevelopment project costs or bioscience development project will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

(2) For a redevelopment project or bioscience project financed by bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, the feasibility study must also include:

(A) A statement of how the taxes obtained from the project will contribute significantly to the economic development of the jurisdiction in which the project is located;

(B) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the redevelopment project. If a portion of local sales and use taxes is so committed, the applicant shall describe the

following:

(i) The percentage of sales and use taxes collected that are so committed; and
 (ii) the date or dates on which the local sales and use taxes pledged to other uses can be pledged for repayment of special obligation bonds;

(C) an anticipated principal and interest payment schedule on the bonds;

(D) following approval of the redevelopment plan, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meeting or meetings of any city whose bonding authority will be utilized in the project, evidencing that a redevelopment plan has been created, discussed, and adopted by the city in a regularly scheduled open public meeting; and

(E) the failure to include all information enumerated in this subsection in the feasibility study for a redevelopment or bioscience project shall not affect the validity of bonds issued pursuant to this act.

(I) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(m) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon, except that ~~when relating to a bioscience development district, as defined in this section;~~ "real property taxes" does not include:

(1) Property taxes levied for schools, by school districts pursuant to K.S.A. 2016 Supp. 72-6470 section 14, and amendments thereto, when relating to a bioscience development district; and

(2) property taxes levied by school districts pursuant to K.S.A. 72-8801, and amendments thereto, when relating to a bioscience development district or a redevelopment district established on or after July 1, 2017.

(n) "Redevelopment project area" means an area designated by a city within a redevelopment district or, if the redevelopment district is established for an intermodal transportation area, an area designated by a city within or outside of the redevelopment district.

(o) "Redevelopment project costs" means: (1) Those costs necessary to implement a redevelopment project plan or a bioscience development project plan, including costs incurred for:

(A) Acquisition of property within the redevelopment project area;

(B) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

(C) site preparation including utility relocations;

(D) sanitary and storm sewers and lift stations;

(E) drainage conduits, channels, levees and river walk canal facilities;

(F) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(G) street light fixtures, connection and facilities;

(H) underground gas, water, heating and electrical services and connections located within the public right-of-way;

(I) sidewalks and pedestrian underpasses or overpasses;

(J) drives and driveway approaches located within the public right-of-way;

(K) water mains and extensions;

(L) plazas and arcades;

- (M) major multi-sport athletic complex;
 - (N) museum facility;
 - (O) parking facilities including multilevel parking facilities;
 - (P) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;
 - (Q) related expenses to redevelop and finance the redevelopment project;
 - (R) for purposes of an incubator project, such costs shall also include wet lab equipment including hoods, lab tables, heavy water equipment and all such other equipment found to be necessary or appropriate for a commercial incubator wet lab facility by the city in its resolution establishing such redevelopment district or a bioscience development district;
 - (S) costs for the acquisition of land for and the construction and installation of publicly-owned infrastructure improvements which serve an intermodal transportation area and are located outside of a redevelopment district; and
 - (T) costs for infrastructure located outside the redevelopment district but contiguous to any portion of the redevelopment district and such infrastructure is necessary for the implementation of the redevelopment plan as determined by the city.
- (2) Redevelopment project costs shall not include: (A) Costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or a multilevel parking facility.
- (B) In addition, for a redevelopment project financed with special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, redevelopment project costs shall not include:
- (i) Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a redevelopment district;
 - (ii) salaries for local government employees;
 - (iii) moving expenses for employees of the businesses locating within the redevelopment district;
 - (iv) property taxes for businesses that locate in the redevelopment district;
 - (v) lobbying costs;
 - (vi) a bond origination fee charged by the city pursuant to K.S.A. 12-1742, and amendments thereto;
 - (vii) any personal property, as defined in K.S.A. 79-102, and amendments thereto; and
 - (viii) travel, entertainment and hospitality.
- (p) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.
- (q) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area or, if the redevelopment district is established for an intermodal transportation area, in or outside of the redevelopment district.
- (r) "Redevelopment project" means the approved project to implement a project

plan for the development of the established redevelopment district.

(s) "Redevelopment project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(t) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(u) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(v) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district including a bioscience development district.

(w) "River walk canal facilities" means a canal and related water features which flows through a redevelopment district and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(x) "Major commercial entertainment and tourism area" may include, but not be limited to, a major multi-sport athletic complex.

(y) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(z) "Bioscience" means the use of compositions, methods and organisms in cellular and molecular research, development and manufacturing processes for such diverse areas as pharmaceuticals, medical therapeutics, medical diagnostics, medical devices, medical instruments, biochemistry, microbiology, veterinary medicine, plant biology, agriculture, industrial environmental and homeland security applications of bioscience and future developments in the biosciences. Bioscience includes biotechnology and life sciences.

(aa) "Bioscience development area" means an area that:

(1) Is or shall be owned, operated, or leased by, or otherwise under the control of the Kansas bioscience authority;

(2) is or shall be used and maintained by a bioscience company; or

(3) includes a bioscience facility.

(bb) "Bioscience development district" means the specific area, created under K.S.A. 12-1771, and amendments thereto, where one or more bioscience development projects may be undertaken.

(cc) "Bioscience development project" means an approved project to implement a project plan in a bioscience development district.

(dd) "Bioscience development project plan" means the plan adopted by the authority for a bioscience development project pursuant to K.S.A. 12-1772, and amendments thereto, in a bioscience development district.

(ee) "Bioscience facility" means real property and all improvements thereof used to conduct bioscience research, including, without limitation, laboratory space, incubator space, office space and any and all facilities directly related and necessary to the operation of a bioscience facility.

(ff) "Bioscience project area" means an area designated by the authority within a bioscience development district.

(gg) "Biotechnology" means those fields focusing on technological developments in such areas as molecular biology, genetic engineering, genomics, proteomics, physiomics, nanotechnology, biodefense, biocomputing, bioinformatics and future developments associated with biotechnology.

(hh) "Board" means the board of directors of the Kansas bioscience authority.

(ii) "Life sciences" means the areas of medical sciences, pharmaceutical sciences, biological sciences, zoology, botany, horticulture, ecology, toxicology, organic chemistry, physical chemistry, physiology and any future advances associated with life sciences.

(jj) "Revenue increase" means that amount of real property taxes collected from real property located within the bioscience development district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(kk) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(ll) "Floodplain increment" means the increment determined pursuant to K.S.A. 2016 Supp. 12-1771e(b), and amendments thereto.

(mm) "100-year floodplain area" means an area of land existing in a 100-year floodplain as determined by either an engineering study of a Kansas certified engineer or by the United States federal emergency management agency.

(nn) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(oo) "Intermodal transportation area" means an area of not less than 800 acres to be developed primarily to handle the transfer, storage and distribution of freight through railway and trucking operations.

(pp) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

Sec. 57. K.S.A. 2016 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city which, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, within such redevelopment district. Prior to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified.

(b) There is hereby created the tax increment financing revenue replacement fund which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 58. K.S.A. 2016 Supp. 12-1776a is hereby amended to read as follows: 12-1776a. (a) As used in this section:

(1) "School district" means any school district in which is located a redevelopment district for which bonds have been issued pursuant to K.S.A. 12-1770 et seq., and amendments thereto.

(2) "Base year assessed valuation," "redevelopment district" and "redevelopment project" shall have the meanings ascribed thereto by K.S.A. 12-1770a, and amendments thereto.

(b) No later than November 1 of each year, the county clerk of each county shall certify to the state board of education the assessed valuation of any school district located within a redevelopment district in such county. For the purposes of this section and for determining the amount of state aid for school districts under section 17 and K.S.A. 75-2319, and amendments thereto, the base year assessed valuation of property within the boundaries of a redevelopment district shall be used when determining the assessed valuation of a school district until the bonds issued pursuant to K.S.A. 12-1770 et seq., and amendments thereto, to finance redevelopment projects in the redevelopment district have been retired.

Sec. 59. K.S.A. 12-17,115 is hereby amended to read as follows: 12-17,115. As used in this act:

(a) "Dilapidated structure" means a residence or other building which is in deteriorating condition by reason of obsolescence, inadequate provision of ventilation, light, air or structural integrity or is otherwise in a condition detrimental to the health, safety or welfare of its inhabitants or a residence or other building which is in

deteriorating condition and because of age, architecture, history or significance is worthy of preservation.

(b) "Municipality" means any municipality as defined by K.S.A. 10-1101, and amendments thereto.

(c) "Neighborhood revitalization area" means:

(1) An area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare;

(2) an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use; or

(3) an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

(d) "Governing body" means the governing body of any municipality.

(e) "Increment" means, except for any taxes levied by school districts pursuant to K.S.A. 72-8801, and amendments thereto, that amount of ad valorem taxes collected from real property located within the neighborhood revitalization area or from dilapidated structures outside the revitalization area that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the neighborhood revitalization area was established or the structure was declared dilapidated pursuant to this act.

Sec. 60. K.S.A. 2016 Supp. 72-978 is hereby amended to read as follows: 72-978.

(a) Each year, the state board of education shall determine the amount of state aid for the provision of special education and related services each school district shall receive for the ensuing school year. The amount of such state aid shall be computed by the state board as provided in this section. The state board shall:

(1) Determine the total amount of general fund and local option budgets of all school districts;

(2) subtract from the amount determined in subsection (a)(1) the total amount attributable to assignment of transportation weighting, ~~program weighting~~ bilingual weighting, career technical education weighting, special education weighting and at-risk pupil student weighting, ~~as those weightings were calculated under the school district finance and quality performance act, prior to its repeal, to the enrollment of all school districts;~~

(3) divide the remainder obtained in subsection (a)(2) by the total number of full-

time equivalent pupils enrolled in all school districts on September 20;

(4) determine the total full-time equivalent enrollment of exceptional children receiving special education and related services provided by all school districts;

(5) multiply the amount of the quotient obtained in subsection (a)(3) by the full-time equivalent enrollment determined in subsection (a)(4);

(6) determine the amount of federal funds received by all school districts for the provision of special education and related services;

(7) determine the amount of revenue received by all school districts rendered under contracts with the state institutions for the provisions of special education and related services by the state institution;

(8) add the amounts determined under subsections (a)(6) and (a)(7) to the amount of the product obtained under subsection (a)(5);

(9) determine the total amount of expenditures of all school districts for the provision of special education and related services;

(10) subtract the amount of the sum obtained under subsection (a)(8) from the amount determined under subsection (a)(9); and

(11) multiply the remainder obtained under subsection (a)(10) by 92%.

The computed amount is the amount of state aid for the provision of special education and related services aid a school district is entitled to receive for the ensuing school year.

(b) Each school district shall ~~be entitled to~~ receive:

(1) Reimbursement for actual travel allowances paid to special teachers at not to exceed the rate specified under K.S.A. 75-3203, and amendments thereto, for each mile actually traveled during the school year in connection with duties in providing special education or related services for exceptional children; Such reimbursement shall be computed by the state board by ascertaining the actual travel allowances paid to special teachers by the school district for the school year and shall be in an amount equal to 80% of such actual travel allowances;

(2) reimbursement in an amount equal to 80% of the actual travel expenses incurred for providing transportation for exceptional children to special education or related services;

(3) reimbursement in an amount equal to 80% of the actual expenses incurred for the maintenance of an exceptional child at some place other than the residence of such child for the purpose of providing special education or related services; Such reimbursement shall not exceed \$600 per exceptional child per school year; and

(4) (A) except for those school districts ~~entitled to that~~ receive reimbursement under subsection (c) or (d), after subtracting the amounts of reimbursement under subsections (a)(1), (a)(2) and (a)(3) from the total amount appropriated for special education and related services under this act, an amount which bears the same proportion to the remaining amount appropriated as the number of full-time equivalent special teachers who are qualified to provide special education or related services to exceptional children and are employed by the school district for approved special education or related services bears to the total number of such qualified full-time equivalent special teachers employed by all school districts for approved special education or related services.

(B) Each special teacher who is qualified to assist in the provision of special education or related services to exceptional children shall be counted as $\frac{2}{5}$ full-time

equivalent special teacher who is qualified to provide special education or related services to exceptional children.

(C) For purposes of this subsection (b)(4), a special teacher, qualified to assist in the provision of special education and related services to exceptional children, who assists in providing special education and related services to exceptional children at either the state school for the blind or the state school for the deaf and whose services are paid for by a school district pursuant to K.S.A. 76-1006 or 76-1102, and amendments thereto, shall be considered a special teacher of such school district.

(c) Each school district which has paid amounts for the provision of special education and related services under an interlocal agreement shall ~~be entitled to~~ receive reimbursement under subsection (b)(4). The amount of such reimbursement for the school district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services under the interlocal agreement, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all school districts in the current school year who have entered into such interlocal agreement for provision of such special education and related services.

(d) Each contracting school district which has paid amounts for the provision of special education and related services as a member of a cooperative shall ~~be entitled to~~ receive reimbursement under subsection (b)(4). The amount of such reimbursement for the school district shall be the amount which bears the same relation to the aggregate amount available for reimbursement for the provision of special education and related services by the cooperative, as the amount paid by such school district in the current school year for provision of such special education and related services bears to the aggregate of all amounts paid by all contracting school districts in the current school year by such cooperative for provision of such special education and related services.

(e) No time spent by a special teacher in connection with duties performed under a contract entered into by the Kansas juvenile correctional complex, ~~the Atchison juvenile correctional facility~~, the Larned juvenile correctional facility, or the Topeka juvenile correctional facility and a school district for the provision of special education services by such state institution shall be counted in making computations under this section.

(f) There is hereby established in every school district a fund which shall be called the special education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for special education shall be credited to the special education fund established by this section, except that: (1) Amounts of payments received by a school district under K.S.A. 72-979, and amendments thereto, and amounts of grants, if any, received by a school district under K.S.A. 72-983, and amendments thereto, shall be deposited in the general fund of the district and transferred to the special education fund; and (2) moneys received by a school district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be credited to the special education fund established under the agreements.

(g) The expenses of a school district directly attributable to special education shall be paid from the special education fund and from special funds established under K.S.A. 72-968, and amendments thereto.

(h) Obligations of a school district pursuant to lawful agreements made under K.S.A. 72-968, and amendments thereto, shall be paid from the special education fund established by this section.

Sec. 61. K.S.A. 2016 Supp. 72-1046b is hereby amended to read as follows: 72-1046b. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives $2\frac{1}{2}$ or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in ~~subpart~~ subparagraph (A).

(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any non-resident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil, such transportation shall be furnished or provided until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations under the classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463 et seq. Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, except computation of transportation weighting under such act, and for the purposes of the statutory provisions contained in article 83 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil shall not be charged for the costs of attendance at school.

~~(d) Any pupil who was not a resident of the district in school year 2014-2015, but was allowed to enroll in and attend school in such district in school year 2014-2015 by the board of education of such district and any member of the family of such pupil regardless of whether such family member enrolled in and attended school in such district in school year 2014-2015, shall be allowed to enroll in and attend school in such district in school years 2015-2016 and 2016-2017 regardless of whether such pupil or family member of such pupil is a resident of the district in either school year, provided such pupil or such pupil's family member is in compliance with any attendance and behavior policies of the district. If transportation was furnished or provided to such pupil in school year 2014-2015 by the district, then transportation shall be furnished or provided by the district to such pupil and any family member of such pupil in school years 2015-2016 and 2016-2017, provided there is no change in such pupil's residence and no requirement for the district to furnish transportation to any additional residence.~~

Sec. 62. K.S.A. 2016 Supp. 72-1398 is hereby amended to read as follows: 72-1398. (a) The national board for professional teaching standards certification incentive program is hereby established for the purpose of rewarding teachers who have attained certification from the national board. Teachers who have attained certification from the national board shall be issued a master teacher's license by the state board of education. A master teacher's license shall be valid for 10 years and renewable thereafter every 10 years through compliance with continuing education and professional development requirements prescribed by the state board. Teachers who have attained certification from the national board and who are employed by a school district shall be paid an incentive bonus in the amount of \$1,000 each school year that the teacher remains employed by a school district and retains a valid master teacher's license.

(b) The board of education of each school district employing one or more national board certified teachers shall pay the incentive bonus to each such teacher in each school year that the teacher retains eligibility for such payment. Each board of education which has made payments of incentive bonuses to national board certified teachers under this subsection may file an application with the state board of education for state aid and shall certify to the state board the amount of such payments. The application and certification shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(c) In each school year, each school district employing one or more national board certified teachers is entitled to receive from appropriations for the national board for professional teaching standards certification incentive program an amount which is equal to the amount certified to the state board of education in accordance with the provisions of subsection (b). The state board shall certify to the director of accounts and reports the amount due each school district. The director of accounts and reports shall draw warrants on the state treasurer payable to the treasurer of each school district entitled to payment under this section upon vouchers approved by the state board.

(d) Moneys received by a board of education under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and may be expended whether the same have been budgeted or not.

(e) The state board of education is authorized to provide scholarships of \$1,100 each to teachers who are accepted to participate in the national board for professional teaching standards program for initial certification. The state board of education is authorized to provide scholarships of \$500 each to teachers who are accepted to participate in the national board for professional teaching standards program for renewal of certification. Any teacher who has been accepted to participate in such program may file an application with the state board of education for a scholarship. The application shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require and shall be filed at the time specified by the state board.

(f) As used in this section, the term "school district" means any school district organized and operating under the laws of this state.

Sec. 63. K.S.A. 2016 Supp. 72-1414 is hereby amended to read as follows: 72-

1414. (a) On or before January 1, 2001, the state board of education shall adopt rules and regulations for the administration of mentor teacher programs and shall:

(1) Establish standards and criteria for evaluating and approving mentor teacher programs and applications of school districts for grants;

(2) evaluate and approve mentor teacher programs;

(3) establish criteria for determination of exemplary teaching ability of certificated teachers for qualification as mentor teachers;

(4) prescribe guidelines for the selection by boards of education of mentor teachers and for the provision by boards of education of training programs for mentor teachers;

(5) be responsible for awarding grants to school districts; and

(6) request of and receive from each school district which is awarded a grant for maintenance of a mentor teacher program reports containing information with regard to the effectiveness of the program.

(b) Subject to the availability of appropriations for mentor teacher programs maintained by school districts, and within the limits of any such appropriations, the state board of education shall determine the amount of grants to be awarded school districts by multiplying an amount not to exceed \$1,000 by the number of mentor teachers participating in the program maintained by a school district. The product is the amount of the grant to be awarded to the district. Upon receipt of a grant of state moneys for maintenance of a mentor teacher program, the amount of the grant shall be deposited in the general fund of the school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto. The full amount of the grant shall be allocated among the mentor teachers employed by the school district so as to provide a mentor teacher with an annual stipend in an amount not to exceed \$1,000. Such annual stipend shall be over and above the regular salary to which the mentor teacher is entitled for the school year.

Sec. 64. K.S.A. 2016 Supp. 72-1923 is hereby amended to read as follows: 72-1923. (a) Except as provided in K.S.A. 2016 Supp. 72-1925, and amendments thereto, the board of education of any school district may apply to the state board for a grant of authority to operate such school district as a public innovative district. The application shall be submitted in the form and manner prescribed by the state board, and shall be submitted not later than December 1 of the school year preceding the school year in which the school district intends to operate as a public innovative district.

(b) The application shall include the following:

(1) A description of the educational programs of the public innovative district;

(2) a description of the interest and support for partnerships between the public innovative district, parents and the community;

(3) the specific goals and the measurable pupil outcomes to be obtained by operating as a public innovative district; and

(4) an explanation of how pupil performance in achieving the specified outcomes will be measured, evaluated and reported.

(c) (1) Within 90 days from the date such application is submitted, the state board shall review the application to determine compliance with this section, and shall approve or deny such application on or before the conclusion of such 90-day period. If the application is determined to be in compliance with this section, the state board shall

approve such application and grant the school district authority to operate as a public innovative district. Notification of such approval shall be sent to the board of education of such school district within 10 days after such decision.

(2) If the state board determines such application is not in compliance with either this section, or K.S.A. 2016 Supp. 72-1925, and amendments thereto, the state board shall deny such application. Notification of such denial shall be sent to the board of education of such school district within 10 days after such decision and shall specify the reasons therefor. Within 30 days from the date such notification is sent, the board of education of such school district may submit a request to the state board for reconsideration of the application and may submit an amended application with such request. The state board shall act on the request for reconsideration within 60 days of receipt of such request.

(d) A public innovative district shall:

(1) Not charge tuition for any of the pupils residing within the public innovative district;

(2) participate in all Kansas math and reading assessments applicable to such public innovative district, or an alternative assessment program for measuring student progress as determined by the board of education;

(3) abide by all financial and auditing requirements that are applicable to school districts, except that a public innovative district may use generally accepted accounting principles;

(4) comply with all applicable health, safety and access laws; and

(5) comply with all statements set forth in the application submitted pursuant to subsection (a).

(e) (1) Except as otherwise provided in K.S.A. 2016 Supp. 72-1921 through 72-1930, and amendments thereto, or as required by the board of education of the public innovative district, a public innovative district shall be exempt from all laws and rules and regulations that are applicable to school districts.

(2) A public innovative district shall be subject to the special education for exceptional children act, the virtual school act, the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, the provisions of K.S.A. 72-8801 et seq., and amendments thereto, all laws governing the issuance of general obligation bonds by school districts, the provisions of K.S.A. 74-4901 et seq., and amendments thereto, and all laws governing the election of members of the board of education, the open meetings act as provided in K.S.A. 75-4317 et seq., and amendments thereto, and the open records act as provided in K.S.A. 45-215 et seq., and amendments thereto.

Sec. 65. K.S.A. 2016 Supp. 72-3712 is hereby amended to read as follows: 72-3712. As used in the virtual school act:

(a) "Virtual school" means any school or educational program that: (1) Is offered for credit; (2) uses distance-learning technologies which predominately use internet-based methods to deliver instruction; (3) involves instruction that occurs asynchronously with the teacher and ~~pupil student~~ in separate locations; (4) requires the ~~pupil student~~ to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (5) requires the ~~pupil student~~ to demonstrate competence in subject matter for each class or subject in which the ~~pupil student~~ is enrolled as part of the virtual school; and (6) requires age-appropriate ~~pupils~~

students to complete state assessment tests.

(b) "School district" means any school district which offers a virtual school.

(c) Except as provided by the virtual school act, words and phrases shall have the meanings ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~ section 4, and amendments thereto.

Sec. 66. K.S.A. 2016 Supp. 72-3715 is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a ~~pupil student~~ shall be in attendance at the virtual school on: (1) A single school day on or before September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each ~~pupil student~~ enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the ~~pupil student~~ was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the ~~pupil student~~ was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under ~~paragraphs~~ subsections (b)(1) and (b)(2);

(4) divide the sum obtained under ~~paragraph~~ subsection (b)(3) by 12. The quotient is the full-time equivalent enrollment of the ~~pupil student~~.

(c) The school days on which a district determines the full-time equivalent enrollment of a ~~pupil student~~ under subsections (b)(1) and (2) shall be the school days on which the ~~pupil student~~ has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a ~~pupil's student's~~ on-line activity or entries in the ~~pupil's student's~~ virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year a school district which offers a virtual school shall receive virtual school state aid. The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) ~~For school year 2015-2016:~~

~~(A)~~—Determine the number of ~~pupils students~~ enrolled in virtual school on a full-time basis, excluding those ~~pupils students~~ who are over ~~18~~ 19 years of age, and multiply the total number of such ~~pupils students~~ by \$5,000;

~~(B)(2)~~ determine the full-time equivalent enrollment of ~~pupils students~~ enrolled in virtual school on a part-time basis, excluding those pupils who are over ~~18~~ 19 years of age, and multiply the total full-time equivalent enrollment of such ~~pupils~~ by ~~\$4,045~~ students by \$1,700;

~~(C)(3)~~ for ~~pupils students~~ enrolled in a virtual school who are over ~~18~~ 19 years of age, determine the number of one-hour credit courses such ~~pupils students~~ have passed, not to exceed six credit courses per school year, and multiply the total number of such courses by ~~\$933~~ \$709; and

~~(D)(4)~~ add the amounts calculated under subsections (d)(1)~~(A)~~ through (d)~~(1)(C)~~ (4). The resulting sum is the amount of virtual school state aid the school district shall receive.

~~(2)~~ ~~For school year 2016-2017:~~

~~(A)~~—Determine the number of pupils enrolled in virtual school on a full-time basis,

~~excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by \$5,600;~~

~~(B) determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by \$1,700;~~

~~(C) for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by \$933; and~~

~~(D) add the amounts calculated under subsections (d)(2)(A) through (d)(2)(C). The resulting sum is the amount of virtual school state aid the school district shall receive.~~

~~(3) For purposes of this subsection:~~

~~(A) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).~~

~~(B) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).~~

~~(e)(1) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a pupil student by a virtual school shall be paid by the virtual school. Moneys deposited in or otherwise transferred to the virtual school fund shall only be expended for those costs directly attributable to the provision of virtual instruction.~~

~~(2) Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.~~

~~(3) In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.~~

~~(f) For the purposes of this section, a pupil student enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any pupil student enrolled in such virtual school.~~

~~(g) For purposes of this section:~~

~~(1) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).~~

~~(2) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).~~

Sec. 67. K.S.A. 2016 Supp. 72-5333b is hereby amended to read as follows: 72-5333b. (a) The unified school district maintaining and operating a school on the Fort Leavenworth military reservation, being unified school district No. 207 of Leavenworth county, state of Kansas, shall have a governing body, which shall be known as the "Fort

Leavenworth school district board of education" and which shall consist of three members who shall be appointed by, and serve at the pleasure of the commanding general of Fort Leavenworth. One member of the board shall be the president and one member shall be the vice-president. The commanding general, when making any appointment to the board, shall designate which of the offices the member so appointed shall hold. Except as otherwise expressly provided in this section, the district board and the officers thereof shall have and may exercise all the powers, duties, authority and jurisdiction imposed or conferred by law on unified school districts and boards of education thereof, except such school district shall not offer or operate any of grades 10 through 12.

(b) The board of education of the school district shall not have the power to issue bonds.

(c) Except as otherwise expressly provided in this subsection, the provisions of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, apply to the school district. As applied to the school district, the terms "local foundation aid" and "federal impact aid" shall not include any moneys received by the school district under subsection (3)(d)(2)(b) of public law 81-874. Any such moneys received by the school district shall be deposited in the general fund of the school district or, at the discretion of the board of education, in the capital outlay fund of the school district.

Sec. 68. K.S.A. 2016 Supp. 72-64b01 is hereby amended to read as follows: 72-64b01. (a) No school district shall expend, use or transfer any moneys from the general fund of the district for the purpose of engaging in or supporting in any manner any litigation by the school district or any person, association, corporation or other entity against the state of Kansas, the state board of education, the state department of education, other state agency or any state officer or employee regarding the Kansas school equity and enhancement act or any other law concerning school finance. No such moneys shall be paid, donated or otherwise provided to any person, association, corporation or other entity and used for the purpose of any such litigation.

(b) Nothing in section 15, and amendments thereto, or this section shall be construed as prohibiting the expenditure, use or transfer of moneys from that portion of the proceeds of any tax levied by a school district pursuant to K.S.A. 2016 Supp. 72-6472 section 19, and amendments thereto, that was levied to finance a school district's local option budget, for the purposes specified in subsection (a).

Sec. 69. K.S.A. 2016 Supp. 72-64c03 is hereby amended to read as follows: 72-64c03. The appropriation of moneys necessary to pay general state aid and supplemental general state aid under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and state aid for the provision of special education and related services under the special education for exceptional children act shall be given first priority in the legislative budgeting process and shall be paid first from existing state revenues.

Sec. 70. K.S.A. 2016 Supp. 72-64c05 is hereby amended to read as follows: 72-64c05. Article 6 of the constitution of the state of Kansas states that the legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools; provide for a state board of education having general supervision of public schools, educational institutions and the

educational interests of the state, except those delegated by law to the state board of regents; and make suitable provision for finance of the educational interests of the state. It is the purpose and intention of the legislature to provide a financing system for the education of kindergarten and grades one through 12 which provides students with the capacities set forth in K.S.A. 2016 Supp. 72-1127, and amendments thereto. Such financing system shall be sufficiently flexible for the legislature to consider and utilize financing methods from all available resources in order to satisfy the constitutional requirements under article 6. Such financing methods shall include, but are not limited to, the following:

(a) Federal funding to unified school districts or public schools, including any grants or federal assistance;

(b) subject to appropriations by the legislature, appropriations of state moneys for the improvement of public education, including, but not limited to, the following:

(1) Financing to unified school districts through the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto;

(2) financing to unified school districts through any provisions which provide state aid, such as capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts;

(3) employer contributions to the Kansas public employees retirement system for public schools;

(4) appropriations to the Kansas children's cabinet for programs serving students enrolled in unified school districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

(5) appropriations to any programs which provide early learning to four-year-old children with the purpose of preparing them for success in public schools;

(6) appropriations to any programs, such as communities in schools, which provide individualized support to students enrolled in unified school districts in meeting the goal specified in K.S.A. 2016 Supp. 72-1127, and amendments thereto;

(7) transportation financing, including any transfers from the state general fund and state highway fund to the state department of education to provide technical education transportation, special education transportation or school bus safety;

(8) financing to other facilities providing public education to students, such as the Kansas state school for the blind, the Kansas state school for the deaf, school district juvenile detention facilities and the Flint Hills job corps center;

(9) appropriations relating to the Kansas academy of mathematics and science;

(10) appropriations relating to teaching excellence, such as scholarships, awards, training or in-service workshops;

(11) appropriations to the state board of regents to provide technical education incentives to unified school districts and tuition costs to postsecondary institutions which provide career technical education to secondary students; and

(12) appropriations to any postsecondary educational institution which provides postsecondary education to a secondary student without charging tuition to such student;

(c) any provision which authorizes the levying of local taxes for the purpose of financing public schools; and

(d) any transfer of funds or appropriations from one object or fund to another approved by the legislature for the purpose of financing public schools.

Sec. 71. K.S.A. 2016 Supp. 72-6622 is hereby amended to read as follows: 72-6622. In the event that all of the property acquired by any two cities under the provisions of K.S.A. 3-404 et seq., and amendments thereto, is included within the territory of a unified school district in which only one of such cities is located:

(a) One-half of the assessed valuation of such property shall be assigned to each of the two school districts in which such cities are located for the purposes of determining the assessed valuation of each district ~~for entitlement to: (1) Supplemental state aid under section 17, and amendments thereto; and (2)~~ payment from the school district capital improvements fund under K.S.A. 75-2319, and amendments thereto;

(b) The revenue to be received by each district under subsection (c) shall be used as a receipt by such district in computing its ad valorem tax requirement for each tax levy fund; and

(c) Such property shall be subject to taxation for school purposes at a rate equal to the aggregate of all rates imposed for school purposes upon property located within the school district in which such property is located, but one-half of the proceeds derived from such levy shall be allocated to each of the two school districts in which such cities are located.

Sec. 72. K.S.A. 2016 Supp. 72-6624 is hereby amended to read as follows: 72-6624. (a) As used in this section:

(1) "School district" means unified school district No. 404, unified school district No. 493, unified school district No. 499 and unified school district No. 508.

(2) "Property" means any property, and improvements thereon, comprising a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act located in Cherokee county.

(3) "State aid" means general state aid, supplemental state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or other law, and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, $\frac{1}{4}$ of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to be used as a racetrack gaming facility or lottery gaming facility under the Kansas expanded lottery act.

Sec. 73. K.S.A. 2016 Supp. 72-6625 is hereby amended to read as follows: 72-6625. (a) As used in this section:

(1) "School district" means unified school district No. 507 and unified school district No. 374.

(2) "Property" means the following described property, and improvements thereon, comprised of 1,120 acres, more or less, located in Haskell county: All of Section 34, Township 29 South, Range 33 West and the West $\frac{1}{2}$ of Section 3, Township 30 South, Range 33 West and the Northeast Quarter of Section 3, Township 30 South, Range 33 West.

(3) "State aid" means general state aid, supplemental state aid, capital improvements state aid, capital outlay state aid and any other state aid paid, distributed or allocated to school districts under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or other law, and any other state aid paid, distributed or allocated to school districts on the basis of the assessed valuation of school districts.

(b) For the purposes of computing the assessed valuation of school districts for the payment, distribution or allocation of state aid and the levying of school taxes, $\frac{1}{2}$ of the assessed valuation of such property shall be assigned to each of the school districts.

(c) The provisions of this section shall not apply if the property is not or ceases to be used for the production of ethanol.

Sec. 74. K.S.A. 2016 Supp. 72-6757 is hereby amended to read as follows: 72-6757. (a) As used in this section:

(1) "Receiving school district" means a school district of nonresidence of a pupil who attends school in such school district.

(2) "Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.

(b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils at school in the receiving school district.

(c) The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils from this state at school in such other state or for the attendance of pupils from such other state at school in this state.

(d) Pupils attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

(e) Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of pupils who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for pupils who, for any other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district;

(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a pupil or pupils at school in the receiving school district shall not exceed $\frac{1}{2}$ of the amount of the budget per pupil of the sending school district under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, for the current school year; and

(4) the contract shall make provision for transportation of pupils to and from the school attended on every school day.

(f) Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.

(g) The provisions of subsection (e)(3) do not apply to unified school district No. ~~104, Jewell county~~ 107, Rock Hills.

(h) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.

(i) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-8233, and amendments thereto, and no procedure or authorization under K.S.A. 72-8233, and amendments thereto, shall be limited by the provisions of this section.

Sec. 75. K.S.A. 2016 Supp. 72-67,115 is hereby amended to read as follows: 72-67,115. (a) The board of education of any school district may:

(1) Offer and teach courses and conduct preschool programs for children under the age of eligibility to attend kindergarten.

(2) Enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of such preschool programs.

(3) Contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the establishment, operation and maintenance of such preschool programs.

(4) Prescribe and collect fees for providing such preschool programs.

(b) Fees for providing preschool programs shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the preschool programs. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the ~~classroom learning assuring student success act~~, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

Sec. 76. K.S.A. 2016 Supp. 72-7535 is hereby amended to read as follows: 72-7535. (a) In order to equip students with the knowledge and skills needed to become self-supporting and to enable students to make critical decisions regarding personal finances, the state board of education shall authorize and assist in the implementation of programs on teaching personal financial literacy.

(b) The state board of education shall develop a curriculum, materials and guidelines that local boards of education and governing authorities of accredited nonpublic schools may use in implementing the program of instruction on personal financial literacy. The state board of education shall adopt a glossary of personal financial literacy terms which shall be used by school districts when implementing the program on personal financial literacy.

(c) The state board of education shall develop state curriculum standards for personal financial literacy, for all grade levels, within the existing mathematics curriculum or another appropriate subject-matter curriculum.

(d) The state board of education shall encourage school districts when selecting textbooks for mathematics, economics, family and consumer science, accounting or other appropriate courses, to select those textbooks which contain substantive provisions on personal finance, including personal budgeting, credit, debt management and other topics concerning personal financial literacy.

(e) The state board of education shall include questions relating to personal financial literacy in the statewide assessments for mathematics or social studies required under K.S.A. 2016 Supp. 72-6479 section 42, and amendments thereto. When the statewide assessments for mathematics or social studies are reviewed or rewritten, the state board of education shall examine the questions relating to personal financial literacy and rewrite such questions in order to determine if programs on personal financial literacy are equipping students with the knowledge and skills needed to become self-supporting and enabling students to make critical decisions regarding personal finances.

Sec. 77. K.S.A. 2016 Supp. 72-8187 is hereby amended to read as follows: 72-8187. (a) In each school year, to the extent that appropriations are available, each school district which has provided educational services for pupils residing at the Flint Hills job corps center, for pupils housed at a psychiatric residential treatment facility or for pupils confined in a juvenile detention facility is eligible to receive a grant of state moneys in an amount to be determined by the state board of education.

(b) In order to be eligible for a grant of state moneys provided for by this section, each school district which has provided educational services for pupils residing at the Flint Hills job corps center, for pupils housed at a psychiatric residential treatment facility or for pupils confined in a juvenile detention facility shall submit to the state board of education an application for a grant and shall certify the amount expended, and not reimbursed or otherwise financed, in the school year for the services provided. The application and certification shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of applications for grants of state moneys is prerequisite to the award of grants.

(c) Each school district which is awarded a grant under this section shall make such periodic and special reports of statistical and financial information to the state board as it may request.

(d) All moneys received by a school district under authority of this section shall be deposited in the general fund of the school district and shall be considered reimbursement of the district for the purpose of the ~~classroom learning assuring student success act~~, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

(e) The state board of education shall approve applications of school districts for grants, determine the amount of grants and be responsible for payment of grants to school districts. In determining the amount of a grant which a school district is eligible to receive, the state board shall compute the amount of state financial aid the district would have received on the basis of enrollment of pupils residing at the Flint Hills job corps center, housed at a psychiatric residential treatment facility or confined in a juvenile detention facility if such pupils had been counted as two pupils under the school district finance and quality performance act and compare such computed amount to the amount certified by the district under subsection (b). The amount of the grant the

district is eligible to receive shall be an amount equal to the lesser of the amount computed under this subsection or the amount certified under subsection (b). If the amount of appropriations for the payment of grants under this section is insufficient to pay in full the amount each school district is determined to be eligible to receive for the school year, the state board shall prorate the amount appropriated among all school districts which are eligible to receive grants of state moneys in proportion to the amount each school district is determined to be eligible to receive.

(f) On or before July 1 of each year, the secretary for aging and disability services shall submit to the Kansas department of education a list of facilities which have been certified and licensed as psychiatric residential treatment facilities.

(g) As used in this section:

(1) "Enrollment" means the number of pupils who are: (A) Residing at the Flint Hills job corps center, confined in a juvenile detention facility or residing at a psychiatric residential treatment facility; and (B) for whom a school district is providing educational services on September 20, on November 20, or on April 20 of a school year, whichever is the greatest number of pupils;

(2) "juvenile detention facility" means any public or private facility which is used for the lawful custody of accused or adjudicated juvenile offenders and which shall not be a jail; and

(3) "psychiatric residential treatment facility" means a facility which provides psychiatric services to individuals under the age of 21 and which conforms with the regulations of the centers for medicare/medicaid services, is licensed and certified by the Kansas department for aging and disability services pursuant to subsection (f).

Sec. 78. K.S.A. 2016 Supp. 72-8190 is hereby amended to read as follows: 72-8190. (a) For the purpose of determination of supplemental state aid under section 17, and amendments thereto, and payments from the school district capital improvements fund under K.S.A. 75-2319, and amendments thereto, notwithstanding any provision of either such statutory section to the contrary, the term assessed valuation per pupil, as applied to unified school district No. 203, Wyandotte county, shall not include within its meaning the assessed valuation of property which is owned by Sunflower Racing, Inc. and operated as a racetrack facility known as the Woodlands. The meaning of assessed valuation per pupil as provided in this subsection, for the purposes specified in this subsection, and as applied to the unified school district designated in this subsection, shall be in force and effect for the 1994-95 and 1995-96 school years.

(b) (1) In the event unified school district No. 203, Wyandotte county, receives in any school year the proceeds from any taxes which may be paid upon the Woodlands for the 1994-95 school year or the 1995-96 school year or for both such school years, the state board of education shall deduct an amount equal to the amount of such tax proceeds from future payments of state aid to which the district is entitled.

(2) For the purposes of this subsection, the term "state aid" means payments from the school district capital improvements fund.

Sec. 79. K.S.A. 2016 Supp. 72-8230 is hereby amended to read as follows: 72-8230. (a) In the event the boards of education of any two or more school districts enter into a school district interlocal cooperation agreement for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state, the following conditions shall apply:

(1) A school district interlocal cooperation agreement shall establish a board of directors which shall be responsible for administering the joint or cooperative undertaking. The agreement shall specify the organization and composition of and manner of appointment to the board of directors. Only members of boards of education of school districts party to the agreement shall be eligible for membership on the board of directors. The terms of office of members of the board of directors shall expire concurrently with their terms as board of education members. Vacancies in the membership of the board of directors shall be filled within 30 days from the date of the vacancy in the manner specified in the agreement.

(2) A school district interlocal cooperation agreement may provide for the establishment and composition of an executive board. The members of the executive board, if established, shall be selected by the board of directors from its membership. The executive board shall exercise the powers, have the responsibilities, and perform the duties and functions of the board of directors to the extent authority to do so is delegated by the board of directors.

(3) A school district interlocal cooperation agreement shall be effective only after approval by the state board of education.

(4) A school district interlocal cooperation agreement shall be subject to change or termination by the legislature.

(5) The duration of a school district interlocal cooperation agreement for joint or cooperative action in performing any of the services, duties, functions, activities, obligations or responsibilities, other than the provision of special education services, which are authorized or required by law to be performed by school districts of this state, shall be for a term of at least three years but not exceeding five years.

(6) (A) The duration of a school district interlocal cooperation agreement for joint or cooperative action in providing special education services shall be perpetual unless the agreement is partially or completely terminated in accordance with this provision. This provision applies to every school district interlocal cooperation agreement for the provision of special education services entered into under authority of this section after the effective date of this act and to every such agreement entered into under this section prior to the effective date of this act, and extant on the effective date of this act, regardless of any provisions in such an agreement to the contrary.

(B) Partial termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon petition for withdrawal from the agreement by a contracting school district to the other contracting school districts and approval by the state board of written consent to the petition by such other school districts or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue an order approving or disapproving withdrawal by the school district from the agreement.

(C) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of two school districts may be accomplished upon approval by the state board of a joint petition made to the state board for termination of the agreement by both of the contracting school districts after adoption of a resolution to that effect by each of the

contracting school districts or upon petition for withdrawal from the agreement made by a contracting school district to the other contracting school district and approval by the state board of written consent to the petition by such other school district or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue an order approving or disapproving withdrawal by the school district from the agreement.

(D) Complete termination of a school district interlocal cooperation agreement for the provision of special education services made and entered into by the boards of three or more school districts may be accomplished only upon approval by the state board of a joint petition made to the state board for termination of the agreement by not less than $\frac{2}{3}$ of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts seeking termination of the agreement. The state board shall consider the petition and approve or disapprove termination of the agreement.

(E) The state board shall take such action in approving or disapproving the complete or partial termination of a school district interlocal cooperation agreement for the provision of special education services as the state board deems to be in the best interests of the involved school districts and of the state as a whole in the provision of special education services for exceptional children. Whenever the state board has disapproved the complete or partial termination of such an agreement, no further action with respect to such agreement shall be considered or taken by the state board for a period of not less than three years.

(7) A school district interlocal cooperation agreement shall specify the method or methods to be employed for disposing of property upon partial or complete termination.

(8) Within the limitations provided by law, a school district interlocal cooperation agreement may be changed or modified by affirmative vote of not less than $\frac{2}{3}$ of the contracting school districts.

(b) Except as otherwise specifically provided in this subsection, any power or powers, privileges or authority exercised or capable of exercise by any school district of this state, or by any board of education thereof, may be jointly exercised pursuant to the provisions of a school district interlocal cooperation agreement. No power or powers, privileges or authority with respect to the levy and collection of taxes, the issuance of bonds, or the purposes and provisions of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or title I of public law 874 shall be created or effectuated for joint exercise pursuant to the provisions of a school district interlocal cooperation agreement.

(c) Payments from the general fund of each school district which enters into any school district interlocal cooperation agreement for the purpose of financing the joint or cooperative undertaking provided for by the agreement shall be operating expenses.

(d) Upon partial termination of a school district interlocal cooperation agreement, the board of directors established under a renegotiated agreement thereof shall be the successor in every respect to the board of directors established under the former agreement.

(e) Nothing contained in this section shall be construed to abrogate, interfere with, impair, qualify or affect in any manner the exercise and enjoyment of all of the powers,

privileges and authority conferred upon school districts and boards of education thereof by the provisions of the interlocal cooperation act, except that boards of education and school districts are required to comply with the provisions of this section when entering into an interlocal cooperation agreement that meets the definition of school district interlocal cooperation agreement.

(f) As used in this section:

(1) "School district interlocal cooperation agreement" means an agreement which is entered into by the boards of education of two or more school districts pursuant to the provisions of the interlocal cooperation act.

(2) "State board" means the state board of education.

Sec. 80. K.S.A. 2016 Supp. 72-8233 is hereby amended to read as follows: 72-8233. (a) In accordance with the provisions of this section, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of pupils residing in one school district at school in kindergarten or any of the grades one through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for kindergarten or one or more grades, courses or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district. Any such agreement is subject to the following conditions:

(1) The agreement may be for any term not exceeding a term of five years.

(2) The agreement shall be subject to change or termination by the legislature.

(3) Within the limitations provided by law, the agreement may be changed or terminated by mutual agreement of the participating boards of education.

(4) The agreement shall make provision for transportation of pupils to and from the school attended on every school day, for payment or sharing of the costs and expenses of pupil attendance at school, and for the authority and responsibility of the participating boards of education.

(c) Provision by agreements entered into under authority of this section for the attendance of pupils at school in a school district of nonresidence of such pupils shall be deemed to be in compliance with the kindergarten, grade, course and units of instruction requirements of law.

(d) The board of education of any school district which enters into an agreement under authority of this section for the attendance of pupils at school in another school district may discontinue kindergarten or any or all of the grades, courses and units of instruction specified in the agreement for attendance of pupils enrolled in kindergarten or any such grades, courses and units of instruction at school in such other school district. Upon discontinuing kindergarten or any grade, course or unit of instruction under authority of this subsection, the board of education may close any school building or buildings operated or used for attendance by pupils enrolled in such discontinued kindergarten, grades, courses or units of instruction. The closing of any school building under authority of this subsection shall require a majority vote of the members of the board of education and shall require no other procedure or approval.

(e) Pupils attending school in a school district of nonresidence of such pupils in accordance with an agreement made and entered into under authority of this section

shall be counted as regularly enrolled in and attending school in the school district of residence of such pupils for the purpose of computations under the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3~~ et seq., and amendments thereto.

(f) Pupils who satisfactorily complete grade 12 while in attendance at school in a school district of nonresidence of such pupils in accordance with the provisions of an agreement entered into under authority of this section shall be certified as having graduated from the school district of residence of such pupils unless otherwise provided for by the agreement.

Sec. 81. K.S.A. 2016 Supp. 72-8236 is hereby amended to read as follows: 72-8236. (a) The board of education of any school district may: (1) Establish, operate and maintain a child care facility; (2) enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of a child care facility; (3) contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the establishment, operation and maintenance of a child care facility; and (4) prescribe and collect fees for providing care at a child care facility.

(b) Fees for providing care at a child care facility established under authority of this section shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the child care facility. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463 Kansas school equity and enhancement act, section 3~~ et seq., and amendments thereto, and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

(c) Every school district which establishes, operates and maintains a child care facility shall be subject to the provisions contained in article 5 of chapter 65 of Kansas Statutes Annotated, and amendments thereto.

(d) As used in this section, the term "child" means any child who is three years of age or older, and any infant or toddler whose parent or parents are pupils or employees of a school district which establishes, operates and maintains, or cooperates in the establishment, operation and maintenance of, a child care facility under authority of this act.

Sec. 82. K.S.A. 2016 Supp. 72-8249 is hereby amended to read as follows: 72-8249. (a) There is hereby established in every school district a special reserve fund. Moneys in such fund shall be used to:

(1) Pay claims, judgments, expenses and other purposes relating to health care services, disability income benefits and group life insurance benefits as authorized by K.S.A. 72-8415a, and amendments thereto;

(2) pay costs relating to uninsured losses; and

(3) pay the cost of workers compensation insurance and workers compensation claims, awards, expenses and other purposes authorized by the workers compensation act.

~~Moneys in such fund may be transferred to the general fund of the school district as approved by the board of education.~~

(b) Any balance remaining in the special reserve fund at the end of the budget year shall be carried forward into that reserve fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the special reserve fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

Sec. 83. K.S.A. 2016 Supp. 72-8250 is hereby amended to read as follows: 72-8250. (a) There is hereby established in every school district a textbook and student materials revolving fund. Moneys in such fund shall be used to:

- (1) Purchase any items designated in K.S.A. 72-5389, and amendments thereto;
- (2) pay the cost of materials or other items used in curricular, extracurricular or other school-related activities; and
- (3) purchase textbooks as authorized by K.S.A. 72-4141, and amendments thereto.

~~Moneys in such fund may be transferred to the general fund of the school district as approved by the board of education.~~

(b) Any balance remaining in the textbook and student materials revolving fund at the end of the budget year shall be carried forward into that fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the textbook and student materials revolving fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. ~~Interest earned on the investment of moneys in any such fund shall be credited to that fund.~~

Sec. 84. K.S.A. 2016 Supp. 72-8251 is hereby amended to read as follows: 72-8251. Whenever a school district is required by law to make any payment during the month of June and there is insufficient revenue to make such payment as a result of the payment of state aid after the date prescribed by the state board of education pursuant to ~~K.S.A. 2016 Supp. 72-6466 section 7~~, and amendments thereto, the school district shall make such payment as soon as moneys are available.

Sec. 85. K.S.A. 2016 Supp. 72-8302 is hereby amended to read as follows: 72-8302. (a) The board of education of a school district may provide or furnish transportation for ~~pupils~~ students who are enrolled in the school district to or from any school of the school district or to or from any school of another school district attended by such ~~pupils~~ students in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) (1) When any or all of the conditions specified in this provision exist, the board of education of a school district shall provide or furnish transportation for ~~pupils~~ students who reside in the school district and who attend any school of the school district or who attend any school of another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto. The conditions which apply to the requirements of this provision are as follows:

(A) The residence of the ~~pupil~~ student is inside or outside the corporate limits of a city, the school building attended is outside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence

of the ~~pupil student~~; or

(B) the residence of the ~~pupil student~~ is outside the corporate limits of a city, the school building attended is inside the corporate limits of a city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the ~~pupil student~~; or

(C) the residence of the ~~pupil student~~ is inside the corporate limits of one city, the school building attended is inside the corporate limits of a different city and the school building attended is more than 2½ miles by the usually traveled road from the residence of the ~~pupil student~~.

(2) The provisions of this subsection are subject to the provisions of subsections (c) and (d).

(c) The board of education of every school district is authorized to adopt rules and regulations to govern the conduct, control and discipline of all ~~pupils students~~ while being transported in school buses. The board may suspend or revoke the transportation privilege or entitlement of any ~~pupil student~~ who violates any rules and regulations adopted by the board under authority of this subsection.

(d) The board of education of every school district may suspend or revoke the transportation privilege or entitlement of any ~~pupil student~~ who is detained at school at the conclusion of the school day for violation of any rules and regulations governing ~~pupil student~~ conduct or for disobedience of an order of a teacher or other school authority. Suspension or revocation of the transportation privilege or entitlement of any ~~pupil student~~ specified in this subsection shall be limited to the school day or days on which the ~~pupil student~~ is detained at school. The provisions of this subsection do not apply to any ~~pupil student~~ who has been determined to be an exceptional child, except gifted children, under the provisions of the special education for exceptional children act.

(e) (1) Subject to the limitations specified in this subsection, the board of education of any school district may prescribe and collect fees to offset, totally or in part, the costs incurred for the provision or furnishing of transportation for ~~pupils students~~. The limitations which apply to the authorization granted by this subsection are as follows:

(A) Fees for the provision or furnishing of transportation for ~~pupils students~~ shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the provision or furnishing of transportation for ~~pupils students~~ and only to the extent that such costs are not reimbursed from any other source provided by law;

(B) fees for the provision or furnishing of transportation may not be assessed against or collected from any ~~pupil student~~ who is counted in determining the transportation weighting of the school district under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto, or any student who is determined to be a child with disabilities under the provisions of the special education for exceptional children act or any ~~pupil student~~ who is eligible for free or reduced price meals under the national school lunch act or any ~~pupil student~~ who is entitled to transportation under the provisions of K.S.A. 72-8306(a), and amendments thereto, and who resides 2½ miles or more by the regular route of a school bus from the school attended;

(C) fees for the provision or furnishing of transportation for ~~pupils students~~ in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233 or 72-8307, and amendments thereto, shall be controlled by the provisions of

the agreement.

(2) All moneys received by a school district from fees collected under this subsection shall be deposited in the general fund of the district.

Sec. 86. K.S.A. 2016 Supp. 72-8309 is hereby amended to read as follows: 72-8309. (a) The board of education of a school district shall not furnish or provide transportation for ~~pupils or~~ students who reside in another school district except in accordance with the written consent of the board of education of the school district in which such ~~pupil or~~ student resides, or in accordance with an order issued by a board of education under the provisions of K.S.A. 72-1046b, and amendments thereto, or in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto.

(b) A school district may transport a nonresident ~~pupil or~~ student if such ~~pupil or~~ student boards the school bus within the boundaries or on the boundary of the transporting school district. To the extent that the provisions of this subsection conflict with the provisions of subsection (a), the provisions of subsection (a) shall control.

(c) No student who is furnished or provided transportation by a school district that is not the school district in which the student resides shall be counted in the computation of the school district's transportation weighting under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

Sec. 87. K.S.A. 2016 Supp. 72-8316 is hereby amended to read as follows: 72-8316. (a) Any board of education, pursuant to a policy developed and adopted by it, may provide for the use of district-owned or leased school buses when such buses are not being used for regularly required school purposes. The policy may provide for:

(1) (A) Transporting parents and other adults to or from school-related functions or activities; (B) transporting ~~pupils~~ students to or from functions or activities sponsored by organizations, the membership of which is principally composed of children of school age; and (C) transporting persons engaged in field trips in connection with their participation in an adult education program maintained by the transporting school district or by any other school district, within or outside the boundaries of the transporting school district; and

(2) contracting with: (A) The governing body of any township, city or county for transportation of individuals, groups or organizations; (B) the governing authority of any nonpublic school for transportation of ~~pupils~~ students attending such nonpublic school to or from interschool or intraschool functions or activities; (C) the board of trustees of any community college for transportation of students enrolled in such community college to or from attendance at class at the community college or to and from functions or activities of the community college; (D) a public recreation commission established and operated under the laws of this state, for any purposes related to the operation of the recreation commission and all programs and services thereof; (E) the board of education of any other school district for transportation, on a cooperative and shared-cost basis, of ~~pupils~~ students, school personnel, parents and other adults to or from school-related functions or activities; or (F) a four-year college or university, area vocational school or area vocational-technical school for transportation of students to or from attendance at class at the four-year college or university, area vocational school or area vocational-technical school or for transportation of students, alumni and other members of the public to or from functions or activities of the four-year college or university, area vocational school or area

vocational-technical school.

(b) The costs related to the use of school buses under the authority of this section shall not be considered in determining the transportation weighting of a school district under the Kansas school equity and enhancement act, section 3 et seq., and amendments thereto.

~~(b)~~(c) Transportation fees may be charged by the board to offset, totally or in part, the costs incurred for the use of school buses under authority of this section.

~~(c)~~(d) Any revenues received by a board of education as transportation fees or under any contract entered into pursuant to this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the school district for the purpose of the ~~classroom learning assuring student success act, K.S.A. 2016 Supp. 72-6463~~ Kansas school equity and enhancement act, section 3 et seq., and amendments thereto. Such revenues may be expended whether the same have been budgeted or not.

~~(d)~~(e) The provisions of K.S.A. 8-1556(c), and amendments thereto, apply to the use of school buses under authority of this section.

Sec. 88. K.S.A. 2016 Supp. 72-8415b is hereby amended to read as follows: 72-8415b. (a) Any school district that elects to become a self-insurer under the provisions of K.S.A. 72-8414, and amendments thereto, may transfer moneys from its general fund to the special reserve fund of the district as provided by ~~K.S.A. 2016 Supp. 72-6478 section 42,~~ and amendments thereto.

(b) Any community college that elects to become a self-insurer under the provisions of K.S.A. 72-8414, and amendments thereto, may transfer such amounts from its general fund to the health care services reserve fund or the disability income benefits reserve fund, or the group life benefit reserve fund, or all three, as may be deemed necessary to meet the cost of health care services or disability income benefits, or group life insurance claims, whichever is applicable.

Sec. 89. K.S.A. 2016 Supp. 72-8801 is hereby amended to read as follows: 72-8801. (a) The board of education of any school district may make an annual tax levy at a mill rate not to exceed the statutorily prescribed mill rate upon the taxable tangible property in the school district for the purposes specified in this act and with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto. for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. No levy shall be made under this act until a resolution is adopted by the board of education in the following form:

Unified School District No. _____,

_____ County, Kansas.

RESOLUTION

Be It Resolved that:

The above-named school board shall be authorized to make an annual tax levy ~~for a period not to exceed _____ years~~ in an amount not to exceed _____ mills upon the taxable tangible property in the school district for the purpose of acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district

purposes, including: (1) ~~Acquisition of~~ Computer software; (2) ~~acquisition of~~ performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board; (4) architectural expenses; (5) ~~acquisition of~~ building sites; (6) undertaking and maintenance of asbestos control projects; (7) ~~acquisition of~~ school buses; (8) ~~utility expenses~~; (9) ~~property and casualty insurance~~; and (8) ~~acquisition of~~ (10) other fixed assets, and with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto, for the purpose of paying a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. The tax levy authorized by this resolution may be made, unless a petition in opposition to the same, signed by not less than 10% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district within 40 calendar days after the last publication of this resolution. In the event a petition is filed, the county election officer shall submit the question of whether the tax levy shall be authorized to the electors in the school district at an election called for that purpose or at the next general election, as is specified by the board of education of the above school district.

CERTIFICATE

This is to certify that the above resolution was duly adopted by the board of education of Unified School District No. _____, _____ County, Kansas, on the ____ day of _____, _____

Clerk of the board of education.

All of the blanks in the above resolution shall be appropriately filled. The blank preceding the word "~~years~~" shall be filled with a specific number, and the blank preceding the word "~~mills~~" shall be filled with a specific number, and no word shall be inserted in either of the blanks. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no petition as specified above is filed in accordance with the provisions of the resolution, the board of education may make the tax levy specified in the resolution. If a petition is filed as provided in the resolution, the board of education may notify the county election officer of the date of an election to be held to submit the question of whether the tax levy shall be authorized. If the board of education fails to notify the county election officer within 60 calendar days after a petition is filed, the resolution shall be deemed abandoned and no like resolution shall be adopted by the board of education within the nine months following the first publication of the resolution.

(b) As used in this act:

(1) "Unconditionally authorized to make a capital outlay tax levy" means that the school district has adopted a resolution under this section, has published the same, and either that the resolution was not protested or that it was protested and an election has been held by which the tax levy specified in the resolution was approved;

(2) "statutorily prescribed mill rate" means: (A) Eight mills; (B) the mill levy rate in excess of eight mills if the resolution fixing such rate was approved at an election prior to the effective date of this act; or (C) the mill levy rate in excess of eight mills if

no petition or no sufficient petition was filed in protest to a resolution fixing such rate in excess of eight mills and the protest period for filing such petition has expired;

(3) "asbestos control project" means any activity which is necessary or incidental to the control of asbestos-containing material in buildings of school districts and includes, but not by way of limitation, any activity undertaken for the removal or encapsulation of asbestos-containing material, for any remodeling, renovation, replacement, rehabilitation or other restoration necessitated by such removal or encapsulation, for conducting inspections, reinspections and periodic surveillance of buildings, performing response actions, and developing, implementing and updating operations and maintenance programs and management plans;

(4) "asbestos" means the asbestiform varieties of chrysotile (serpentine), crocidolite (riebeckite), amosite (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite; and

(5) "asbestos-containing material" means any material or product which contains more than 1% asbestos.

Sec. 90. K.S.A. 72-8803 is hereby amended to read as follows: 72-8803. There is hereby established in every school district of the state a fund which shall be called the capital outlay fund. The capital outlay fund shall consist of all moneys deposited therein or transferred thereto in accordance with law. The proceeds of any tax levied under article 88 of chapter 72 of Kansas Statutes Annotated, and amendments thereto, shall be deposited in the capital outlay fund of the school district making such levy, except for an amount to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, ~~shall be deposited in the capital outlay fund of the school district making such levy with respect to any redevelopment district established prior to July 1, 2017, pursuant to K.S.A. 12-1771, and amendments thereto.~~

Sec. 91. K.S.A. 2016 Supp. 72-8804 is hereby amended to read as follows: 72-8804. (a) Any moneys in the capital outlay fund of any school district and any moneys received from issuance of bonds under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be used for the purpose of the acquisition, construction, reconstruction, repair, remodeling, additions to, furnishing, maintaining and equipping of school district property and equipment necessary for school district purposes, including: (1) ~~Acquisition of~~ Computer software; (2) ~~acquisition of~~ performance uniforms; (3) housing and boarding pupils enrolled in an area vocational school operated under the board of education; (4) architectural expenses; (5) ~~acquisition of~~ building sites; (6) undertaking and maintenance of asbestos control projects; (7) ~~acquisition of~~ school buses; (8) ~~utility expenses~~; (9) ~~property and casualty insurance~~; and (8) ~~acquisition of~~ (10) other fixed assets, ~~and, for school years 2015-2016 and 2016-2017, subject to the provisions of K.S.A. 2016 Supp. 72-6478, and amendments thereto, may be transferred to the general fund of the school district as approved by the board of education.~~

(b) The board of education of any school district is hereby authorized to invest any portion of the capital outlay fund of the school district which is not currently needed in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein, or may invest the same in direct obligations of the United States government maturing or redeemable at par and accrued interest within three years from date of purchase, the principal and interest whereof is guaranteed by the government of

the United States. All interest received on any such investment shall upon receipt thereof be credited to the capital outlay fund.

Sec. 92. K.S.A. 2016 Supp. 72-8908 is hereby amended to read as follows: 72-8908. As used in this act:

- (a) "Juvenile" means a person who is less than 18 years of age;
- (b) "adult" means a person who is 18 years of age or older;
- (c) "felony" means any crime designated a felony by the laws of Kansas or the United States;
- (d) "misdemeanor" means any crime designated a misdemeanor by the laws of Kansas or the United States;
- (e) "school day" means any day on which school is maintained;
- (f) "school year" ~~has the meaning ascribed thereto in K.S.A. 2016 Supp. 72-6464~~ means the same as such term is defined in section 4, and amendments thereto;
- (g) "counsel" means any person a pupil selects to represent and advise the pupil at all proceedings conducted pursuant to the provisions of this act; and
- (h) "principal witness" means any witness whose testimony is of major importance in support of the charges upon which a proposed suspension or expulsion from school is based, or in determination of material questions of fact.

Sec. 93. K.S.A. 2016 Supp. 72-9509 is hereby amended to read as follows: 72-9509. (a) There is hereby established in every school district a fund which shall be called the bilingual education fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. ~~Amounts deposited in the bilingual education fund may be used for the payment of expenses directly attributable to bilingual education or may be transferred to the general fund of the school district as approved by the board of education. The expenses of a school district directly attributable to such bilingual education programs shall be paid from the bilingual education fund. Moneys deposited in or otherwise transferred to the bilingual education fund shall only be expended for those costs directly attributable to the provision of bilingual education programs.~~

(b) Any balance remaining in the bilingual education fund at the end of the budget year shall be carried forward into the bilingual education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the bilingual education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. ~~Interest earned on the investment of moneys in any such fund shall be credited to that fund.~~

(c) Each year the board of education of each school district shall prepare and submit to the state board a report on the bilingual education program and assistance provided by the district. Such report shall include information specifying the number of pupils who were served or provided assistance, the type of service provided, the research upon which the district relied in determining that a need for service or assistance existed, the results of providing such service or assistance and any other information required by the state board.

Sec. 94. K.S.A. 2016 Supp. 72-9609 is hereby amended to read as follows: 72-9609. There is hereby established in every school district a fund which shall be called the professional development fund, which fund shall consist of all moneys deposited

therein or transferred thereto according to law. All moneys received by the school district from whatever source for professional development programs established under this act shall be credited to the fund established by this section. ~~Amounts deposited in the professional development fund may be used for the payment of expenses directly attributable to professional development or may be transferred to the general fund of the school district as approved by the board of education.~~ The expenses of a school district directly attributable to professional development programs shall be paid from the professional development fund.

Sec. 95. K.S.A. 2016 Supp. 72-99a02 is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) resides in Kansas while eligible for an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) "Public school" means a school that would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and is operated by a school district.

(h) "Qualified school" means any nonpublic school that provides education to elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" shall have the meaning ascribed thereto in ~~K.S.A. 2016 Supp. 72-6464~~ section 4, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 96. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as amended by section 95 of this act, is hereby amended to read as follows: 72-99a02. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

(1) (A) Qualifies as an at-risk pupil as defined in K.S.A. 72-6407, prior to its repeal ~~Is an at-risk student, as defined in section 4, and amendments thereto,~~ and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;

(2) resides in Kansas while eligible for an educational scholarship; and

(3) (A) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or (B) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years.

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 2016 Supp. 72-99a01 through 72-99a07, and amendments thereto.

(g) "Public school" means a school that ~~would qualify as either a title I focus school or a title I priority school as described by the state board under the elementary and secondary education act flexibility waiver as amended in January 2013 and~~ is operated by a school district, and identified by the state board as one of the lowest 100 performing schools with respect to student achievement among all schools operated by school districts for the current school year.

(h) "Qualified school" means any nonpublic school that provides education to elementary or secondary students, has notified the state board of its intention to participate in the program and complies with the requirements of the program. On and after July 1, 2020, a qualified school shall be accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" shall have the meaning ascribed thereto in section 4, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 97. K.S.A. 2016 Supp. 72-99a07 is hereby amended to read as follows: 72-99a07. (a) (1) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2014, and ending before January 1, 2017, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto.

(2) There shall be allowed a credit against the tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2016, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 2016 Supp. 72-99a01 et seq., and amendments thereto. In no event shall the total amount of contributions for any taxpayer allowed under this subsection exceed \$500,000 for any tax year.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.

Sec. 98. K.S.A. 2016 Supp. 74-4939a is hereby amended to read as follows: 74-4939a. On and after the effective date of this act for each fiscal year commencing with fiscal year 2005, notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, or any other statute, all moneys appropriated for the department of education from the state general fund commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by appropriation act of the legislature, in the KPERS — employer contributions account and all moneys appropriated for the department of education from

the state general fund or any special revenue fund for each fiscal year commencing with fiscal year 2005, and each ensuing fiscal year thereafter, by any such appropriation act in that account or any other account for payment of employer contributions for school districts, shall be distributed by the department of education to school districts in accordance with this section. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, ~~for school year 2015-2016, the department of education shall disburse to each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(a)(6), and amendments thereto, which shall be disbursed pursuant to K.S.A. 2016 Supp. 72-6465, and amendments thereto. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, for school year 2016-2017, the department of education shall disburse to each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, an amount in accordance with K.S.A. 2016 Supp. 72-6465(b)(4), and amendments thereto, which shall be disbursed pursuant to K.S.A. 2016 Supp. 72-6465, and amendments thereto~~ certified by the board of trustees of the Kansas public employees retirement system that is equal to the participating employer's obligation of such school district to the system in accordance with policies and procedures that are hereby authorized and directed to be adopted by the state board of education for the purposes of this section and in accordance with any requirements prescribed by the board of trustees of the Kansas public employees retirement system. Upon receipt of each such disbursement of moneys, the school district shall deposit the entire amount thereof into a special retirement contributions fund of the school district, which shall be established by the school district in accordance with such policies and procedures and which shall be used for the sole purpose of receiving such disbursements from the department of education and making the remittances to the system in accordance with this section and such policies and procedures. Upon receipt of each such disbursement of moneys from the department of education, the school district shall remit, in accordance with the provisions of such policies and procedures and in the manner and on the date or dates prescribed by the board of trustees of the Kansas public employees retirement system, an equal amount to the Kansas public employees retirement system from the special retirement contributions fund of the school district to satisfy such school district's obligation as a participating employer. Notwithstanding the provisions of K.S.A. 74-4939, and amendments thereto, each school district that is an eligible employer as specified in K.S.A. 74-4931(1), and amendments thereto, shall show within the budget of such school district all amounts received from disbursements into the special retirement contributions fund of such school district. Notwithstanding the provisions of any other statute, no official action of the school board of such school district shall be required to approve a remittance to the system in accordance with this section and such policies and procedures. All remittances of moneys to the system by a school district in accordance with this subsection and such policies and procedures shall be deemed to be expenditures of the school district.

Sec. 99. K.S.A. 2016 Supp. 74-8925 is hereby amended to read as follows: 74-8925. (a) For the purposes of this act, the term "taxing subdivision" shall include the county, the city, the unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district. The term "real property taxes" includes all

taxes levied on an ad valorem basis upon land and improvements thereon, other than the property tax levied pursuant to the provisions of ~~K.S.A. 2016 Supp. 72-6470 section 14,~~ and amendments thereto, or any other property tax levied by or on behalf of a school district.

(b) All tangible taxable property located within a redevelopment district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a redevelopment district. Each redevelopment district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of approval of any redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as herein defined, on property located within such redevelopment district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a redevelopment district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from that portion of the current assessed valuation of such real property located within such separate taxing unit which is equal to the total assessed value of such real property on the date of the establishment of the redevelopment district.

(2) Any real property taxes produced from that portion of the current assessed valuation of real property within the redevelopment district constituting a separate taxing unit under the provisions of this section in excess of an amount equal to the total assessed value of such real property on the effective date of the establishment of the district shall be allocated and paid by the county treasurer according to specified percentages of the tax increment expressly agreed upon and consented to by the governing bodies of the county and school district in which the redevelopment district is located. The amount of the real property taxes allocated and payable to the authority under the agreement shall be paid by the county treasurer to the treasurer of the state. The remaining amount of the real property taxes not payable to the authority shall be allocated and paid in the same manner as other ad valorem taxes. Any real property taxes paid to the state treasurer under this section shall be deposited in the redevelopment bond finance fund of the authority which is created pursuant to K.S.A. 74-8927, and amendments thereto, to pay the costs of any approved redevelopment project, including the payment of principal of and interest on any bonds issued by the authority to finance, in whole or in part, such project. When such bonds and interest thereon have been paid, all moneys thereafter received from real property taxes within such redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as are other ad valorem taxes. If such bonds and

interest thereon have been paid before the completion of a project, the authority may continue to use such moneys for any purpose authorized by the redevelopment agreement until such time as the project costs are paid or reimbursed, but for a period not to exceed the final scheduled maturity of the bonds.

(d) In any redevelopment plan or in the proceedings for the issuing of any bonds by the authority to finance a project, the property tax increment portion of taxes provided for in subsection (c)(2) may be irrevocably pledged for the payment of the principal of and interest on such bonds. The authority may adopt a redevelopment plan in which only a specified percentage of the tax increment realized from taxpayers in the redevelopment district is pledged to the payment of costs.

Sec. 100. K.S.A. 2016 Supp. 74-99b43 is hereby amended to read as follows: 74-99b43. (a) The Kansas development finance authority is hereby authorized to issue special obligation bonds pursuant to K.S.A. 74-8901 et seq., and amendments thereto, in one or more series to finance the undertaking of any bioscience development project in accordance with the provisions of this act. No special obligation bonds may be issued pursuant to this section unless the Kansas development finance authority has received a resolution of the board of the authority requesting the issuance of such bonds. Such special obligation bonds shall be made payable, both as to principal and interest from one or more of the following, as directed by the authority:

(1) From ad valorem tax increments allocated to, and paid into the bioscience development bond fund for the payment of the project costs of a bioscience development project under the provisions of this section;

(2) from any private sources, contributions or other financial assistance from the state or federal government;

(3) from a pledge of a portion or all of the revenue received from transient guest, sales and use taxes collected pursuant to K.S.A. 12-1696 et seq., 79-3601 et seq., 79-3701 et seq. and 12-187 et seq., and amendments thereto, and which are collected from taxpayers doing business within that portion of the bioscience development district and paid into the bioscience development bond fund;

(4) from a pledge of a portion or all increased revenue received by any city from franchise fees collected from utilities and other businesses using public right-of-way within the bioscience development district; or

(5) by any combination of these methods.

(b) All tangible taxable property located within a bioscience development district shall be assessed and taxed for ad valorem tax purposes pursuant to law in the same manner that such property would be assessed and taxed if located outside such district, and all ad valorem taxes levied on such property shall be paid to and collected by the county treasurer in the same manner as other taxes are paid and collected. Except as otherwise provided in this section, the county treasurer shall distribute such taxes as may be collected in the same manner as if such property were located outside a bioscience development district. Each bioscience development district established under the provisions of this act shall constitute a separate taxing unit for the purpose of the computation and levy of taxes.

(c) Beginning with the first payment of taxes which are levied following the date of the establishment of the bioscience development district real property taxes received by the county treasurer resulting from taxes which are levied subject to the provisions of this act by and for the benefit of a taxing subdivision, as defined in K.S.A. 2016 Supp.

12-1770a, and amendments thereto, on property located within such bioscience development district constituting a separate taxing unit under the provisions of this section, shall be divided as follows:

(1) From the taxes levied each year subject to the provisions of this act by or for each of the taxing subdivisions upon property located within a bioscience development district constituting a separate taxing unit under the provisions of this act, the county treasurer first shall allocate and pay to each such taxing subdivision all of the real property taxes collected which are produced from the base year assessed valuation.

(2) Any real property taxes, except for property taxes levied for schools pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, produced from that portion of the current assessed valuation of real property within the bioscience development district constituting a separate taxing unit under the provisions of this section in excess of the base year assessed valuation shall be allocated and paid by the county treasurer to the bioscience development bond fund to pay the bioscience development project costs including the payment of principal and interest on any special obligation bonds to finance, in whole or in part, such bioscience development projects.

(d) The authority may pledge the bioscience development bond fund or other available revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(e) Any bonds issued under the provisions of this act and the interest paid thereon, unless specifically declared to be taxable in the authorizing resolution of the Kansas development finance authority, shall be exempt from all state, county and municipal taxes, and the exemption shall include income, estate and property taxes.

Sec. 101. K.S.A. 75-2318 is hereby amended to read as follows: 75-2318. (a) Upon receiving an application under K.S.A. 75-2317, and amendments thereto, the state board of education shall review the application and examine the evidence furnished in support of the application.

(b) (1) Commencing in school year 2017-2018, the state board of education shall not approve any application submitted during the current school year if such approval would result in the aggregate amount of all general obligation bonds approved by the state board for such school year exceeding the aggregate principal amount of all general obligation bonds retired in the immediately preceding school year. In determining whether to approve an application, the state board shall prioritize applications in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(A) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(B) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(C) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(D) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(2) The state board shall not consider a school district's eligibility for capital improvement state aid, or the amount of capital improvement state aid a school district would be eligible to receive, in determining whether to approve such district's application.

(3) The provisions of subsection (b)(1) shall not apply to school districts that have not issued any general obligation bonds in the 25 years prior to the current school year.

(c) After reviewing the application and examining the supportive evidence, the state board of education shall issue an order either granting or denying the application. If the application is approved, the applicant board of education shall request the county election officer to hold an election to vote upon the question of issuing the increased amount of bonds in the manner provided by law.

(d) Any application that is denied pursuant to subsection (b) may be tentatively approved by the state board of education for the immediately succeeding school year. The amount of general obligation bonds approved in any such application shall be counted first towards the aggregate amount of all general obligation bonds approved by the state board for such school year.

(e) Commencing in school year 2017-2018, the state board of education shall determine the aggregate principal amount of general obligation bonds retired in the immediately preceding school year.

(f) The provisions of subsections (b), (d) and (e) shall expire on June 30, 2022.

Sec. 102. K.S.A. 2016 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the

amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2016 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A) The state board of education shall determine the six-year average amount of

capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) Except as provided in subsections (b)(6) and (b)(7), the sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(6) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and receive approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1, 2017, that are issued for the purpose of financing the construction of new school facilities.

(7) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D), the state board shall exclude payments for any capital improvement project, or portion thereof, that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other

similar evaluation.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2013, June 30, 2014~~ 2017, June 30, 2015 2018, and June 30, 2016 2019, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C).

Sec. 103. K.S.A. 2016 Supp. 79-201x is hereby amended to read as follows: 79-201x. For taxable years ~~2015 and 2016~~ 2017 and 2018, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto: Property used for residential purposes to the extent of \$20,000 of its appraised valuation.

Sec. 104. K.S.A. 2016 Supp. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the state board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request

either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the request for exemption and the recommendations of the county appraiser with the state board of tax appeals. With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the board of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state board of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. A request for exemption pursuant to: (1) Section 13 of article 11 of the constitution of the state of Kansas; or (2) K.S.A. 79-201a *Second*, and amendments thereto, for property constructed or purchased, in whole or in part, with the proceeds of revenue bonds under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, prepared in accordance with instructions and assistance which shall be provided by the department of commerce, shall be deemed approved unless scheduled for hearing within 30 days after the date of receipt of all required information and data relating to the request for exemption, and such hearing shall be conducted within 90 days after such date. Such time periods shall be determined without regard to any extension or continuance allowed to either party to such request. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act. In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) Except as otherwise provided by subsection (g), in the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) During the pendency of a request for exemption, no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on

any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. In the event the board determines an application for exemption is without merit and filed in bad faith to delay the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use except that, with respect to property the construction of which commenced not to exceed 24 months prior to the date of first exempt use, the same shall be effective beginning with the date of commencement of construction.

(k) In conjunction with its authority to grant exemptions, the board shall have the authority to abate all unpaid taxes that have accrued from and since the effective date of the exemption. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for the year immediately preceding the year in which the exemption application is filed in accordance with subsection (a).

(l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all property exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 79-201m, and amendments thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n, and amendments thereto; (8) property exempted from ad valorem taxation by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all property previously acquired by the secretary of transportation or a predecessor in interest, which is used in the administration, construction, maintenance or operation of the state system of highways. The secretary of transportation shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (9) property exempted from ad valorem taxation by K.S.A. 79-201a *Ninth*, and amendments thereto, including all property previously acquired by the Kansas turnpike authority which is used in the administration, construction, maintenance or operation of the Kansas turnpike. The Kansas turnpike authority shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (10) aquaculture machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in this section, "aquaculture" has the same meaning ascribed thereto by K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (12) property used exclusively by the state or any municipality or political subdivision of the state for right-of-way purposes. The state agency or the governing body of the municipality or political subdivision shall at the time of acquisition of property for right-of-way

purposes notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (13) machinery, equipment, materials and supplies exempted from ad valorem taxation by K.S.A. 79-201w, and amendments thereto; (14) vehicles owned by the state or by any political or taxing subdivision thereof and used exclusively for governmental purposes; (15) property used for residential purposes which is exempted pursuant to K.S.A. 79-201x, and amendments thereto, from the property tax levied pursuant to ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto; (16) from and after July 1, 1998, vehicles which are owned by an organization having as one of its purposes the assistance by the provision of transit services to the elderly and to disabled persons and which are exempted pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto; (17) from and after July 1, 1998, motor vehicles exempted from taxation by K.S.A. 79-5107(e), and amendments thereto; (18) commercial and industrial machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-223, and amendments thereto; (19) telecommunications machinery and equipment and railroad machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-224, and amendments thereto; and (20) property exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-234, and amendments thereto.

(m) The provisions of this section shall apply to property exempt pursuant to the provisions of section 13 of article 11 of the constitution of the state of Kansas.

(n) The provisions of subsection (k) as amended by this act shall be applicable to all exemption applications filed in accordance with subsection (a) after December 31, 2001.

Sec. 105. K.S.A. 2016 Supp. 79-2001 is hereby amended to read as follows: 79-2001. (a) As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

(b) Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be

mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section.

(c) For tax year 1998, and all tax years thereafter, after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the tax rolls, a tax information form which indicates the taxing unit, assessed value of real property for the current and next preceding taxable year, the mill levy for the current and next preceding taxable year and, in the case of unified school districts, the mill levy required by ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, shall be separately indicated, the tax due and an itemization of each taxing unit's mill levy for the current and next preceding taxable year and the percentage change in the amount of revenue produced therefrom, if any. In addition, with respect to land devoted to agricultural use, such form shall indicate the acreage and description of each parcel of such land. The tax information form shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax information form may be separate from the tax statement or a part of the tax statement. The tax information form shall be in a format prescribed by the director of property valuation. The tax information form shall be mailed to the last known address of the taxpayer. When a tax information form is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the tax information form to the new address. All tax information forms mailed pursuant to this section shall be mailed by first class mail.

Sec. 106. K.S.A. 2016 Supp. 79-2925b is hereby amended to read as follows: 79-2925b. (a) Without a majority vote so providing, the governing body of any municipality shall not approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year, adjusted to reflect changes in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year. If the total tangible property valuation in any municipality increases from the next preceding year due to increases in the assessed valuation of existing tangible property and such increase exceeds changes in the consumer price index, the governing body shall lower the amount of ad valorem tax to be levied to the amount of ad valorem tax levied in the next preceding year, adjusted to reflect changes in the consumer price index. This subsection shall not apply to ad valorem taxes levied under K.S.A. 76-6b01 and 76-6b04 and ~~K.S.A. 2016 Supp. 72-6470~~ section 14, and amendments thereto, and any other ad valorem tax levy which was previously approved by the voters of such municipality. Notwithstanding the requirements of this subsection, nothing herein shall prohibit a municipality from increasing the amount of ad valorem tax to be levied if the municipality approves the proposed increase with a majority vote of the governing body by the adoption of a resolution and publishes its vote to approve the appropriation or budget including the increase as provided in subsection (c).

- (b) Revenue that, in the current year, is produced and attributable to the taxation of:
- (1) New improvements to real property;
 - (2) increased personal property valuation;

(3) property located within added jurisdictional territory; or
 (4) property which has changed in use shall not be considered when determining whether revenue produced from property has increased from the next preceding year.

(c) In the event the governing body votes to approve any appropriation or budget, as the case requires, which may be funded by revenue produced from property taxes, and which provides for funding with such revenue in an amount exceeding that of the next preceding year as provided in subsection (a), notice of such vote shall be published in the official county newspaper of the county where such municipality is located.

(d) The provisions of this section shall be applicable to all fiscal and budget years commencing on and after the effective date of this act.

(e) The provisions of this section shall not apply to revenue received from property tax levied for the sole purpose of repayment of the principal of and interest upon bonded indebtedness, temporary notes and no-fund warrants.

(f) For purposes of this section:

(1) "Municipality" means any political subdivision of the state which levies an ad valorem tax on property and includes, but is not limited to, any township, municipal university, school district, community college, drainage district or other taxing district;

(2) "municipality" shall not include:

(A) Any such political subdivision or taxing district which receives \$1,000 or less in revenue from property taxes in the current year; or

(B) any city or county.

Sec. 107. K.S.A. 2016 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually

received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2016 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2016 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For all taxable years beginning after December 31, 2012, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For all taxable years beginning after December 31, 2012, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For all taxable years beginning after December 31, 2012, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1,

2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For all taxable years beginning after December 31, 2012, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For all taxable years beginning after December 31, 2012, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2016 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For all taxable years beginning after December 31, 2012, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each

designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2016 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For all taxable years beginning after December 31, 2012, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the

federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For all taxable years beginning after December 31, 2012, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For all taxable years beginning after December 31, 2013, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

Sec. 108. In sections 1 and 2, if any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical

accounting code.

Sec. 109. K.S.A. 12-17,115, 72-8803 and 75-2318 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1742, 12-1770a, 12-1775a, 12-1776a, 46-1133, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-6482, 72-64b01, 72-64c01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a07, 74-4939a, 74-8925, 74-99b43, 75-2319, 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052, 79-201x, 79-213, 79-2001, 79-2925b and 79-32,117 are hereby repealed.

Sec. 110. On and after July 1, 2018, K.S.A. 2016 Supp. 72-99a02, as amended by section 95 of this act, is hereby repealed.";

Also on page 15, in line 28, by striking "January 1, 2018,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the period and inserting "education; relating to the instruction and financing thereof; making and concerning appropriations for the fiscal years ending June 30, 2018, and June 30, 2019, for the department of education; creating the Kansas school equity and enhancement act; amending K.S.A. 12-17,115, 72-8803 and 75-2318 and K.S.A. 2016 Supp. 10-1116a, 12-1677, 12-1742, 12-1770a, 12-1775a, 12-1776a, 72-978, 72-1046b, 72-1398, 72-1414, 72-1923, 72-3712, 72-3715, 72-5333b, 72-64b01, 72-64c01, 72-64c03, 72-64c05, 72-6622, 72-6624, 72-6625, 72-6757, 72-67,115, 72-7535, 72-8187, 72-8190, 72-8230, 72-8233, 72-8236, 72-8249, 72-8250, 72-8251, 72-8302, 72-8309, 72-8316, 72-8415b, 72-8801, 72-8804, 72-8908, 72-9509, 72-9609, 72-99a02, 72-99a07, as amended by section 95 of this act, 72-99a07, 74-4939a, 74-8925, 74-99b43, 75-2319, 79-201x, 79-213, 79-2001, 79-2925b, and 79-32,117 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 46-1133, 72-6482, 75-2319, as amended by section 46 of Senate Substitute for Substitute for House Bill No. 2052";

And your committee on conference recommends the adoption of this report.

LARRY CAMPBELL

CLAY AURAND

Conferees on part of House

JIM DENNING

CAROLYN MCGINN

Conferees on part of Senate

On motion of Rep. Campbell, the conference committee report on **SB 19** was adopted.

Roll call, the vote was: Yeas 67; Nays 55; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alford, Arnberger, Aurand, Ballard, Becker, Blex, Brim, Campbell, Claeys, Concannon, Cox, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Good, Hibbard, Hineman, Hoffman, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mastroni, Murnan, Orr, Osterman, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ryckman, Schreiber, Schroeder, Schwab,

Seiwert, Sloan, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Waymaster, Weber, C., Wheeler, Wilson.

Nays: Alcalá, Awerkamp, Baker, Bishop, Burris, Burroughs, Carlin, Carmichael, B. Carpenter, Clark, Clayton, Corbet, Crum, S., Curtis, Esau, Finney, Frownfelter, Garber, Gartner, Hawkins, Helgerson, Henderson, Highberger, Hodge, Houser, Huebert, Humphries, Jacobs, K. Jones, Kuether, Lusk, Miller, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Phelps, R. Powell, Rahjes, Resman, Ruiz, Sawyer, Stogsdill, Terrell, Trimmer, Vickrey, Victors, Ward, Weigel, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Barker, Highland, Mason.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 19**. I believe it is dis-equalizing for at least five reasons. In the *Gannon* decision the Kansas Supreme Court ruled, “School districts must have reasonably equal access to, substantially similar educational opportunity, through similar tax effort.” **SB 19** does the opposite. I cannot support a school finance plan that is in clear violation of the court order on equity and adequacy. I will see all of you in July! – ED TRIMMER

MR. SPEAKER: AS I stated before, the June 30 deadline looms large. I share concerns about the funding level, and the tax credit scholarship expansion, but am more alarmed at the uncertainty we face without a constitutional funding formula. Absent an approved formula, the state will not be allowed to distribute even \$1 on July 1, 2017 creating crisis. I believe we have drafted a formula that will meet the constitutional test. Ultimately, none of us can discern what the Supreme Court will rule regarding adequacy but it is high time for both sides to have their day in court. I vote AYE on **SB 19**. – MELISSA ROOKER, BRENDA K. LANDWEHR, JOY KOESTEN

Mr. Speaker: As lead House negotiator, I added three provisions to SB 19 that will further help underperforming Kansas students exceed the Rose standards. SB 19 increases bilingual weighting, recognizing that a disproportionate number of ESL students fall short of Rose benchmarks. It ensures that every penny of the record level of at-risk funding is spent where it should be, on underperforming students. SB 19 also guarantees that at-risk dollars are used efficiently, following best practices for helping underperforming students as established by the State Board. Because SB 19 helps underperforming students more than any other bill considered by the legislature, I vote aye. – Larry Campbell

On motion of Rep. Hineman, the House recessed until 8:00 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 30** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 7 through 36;

By striking all on pages 2 through 12;

On page 13, by striking all in lines 1 through 32, following line 32, by inserting:

"New Section 1. (a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; and an amount equal to 25% for tax year 2020, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.

Sec. 2. K.S.A. 2016 Supp. 12-17,165 is hereby amended to read as follows: 12-17,165. (a) When a city or county proposes to establish a STAR bond project district, within an eligible area, the city or county shall adopt a resolution stating that the city or county is considering the establishment of a STAR bond project district. Such resolution shall:

(1) Give notice that a public hearing will be held to consider the establishment of a STAR bond project district and fix the date, hour and place of such public hearing;

(2) describe the proposed boundaries of the STAR bond project district;

(3) describe the STAR bond project district plan;

(4) state that a description and map of the proposed STAR bond project district are available for inspection at a time and place designated; and

(5) state that the governing body will consider findings necessary for the establishment of a STAR bond project district.

Notice shall be given as prescribed in ~~subsection (f)(2)~~ of K.S.A. 2016 Supp. 12-17,166 (f)(2), and amendments thereto.

(b) The city or county shall submit the proposed STAR bond project district to the secretary for a determination that the district is an eligible area as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto.

(c) Upon the conclusion of the public hearing, and a finding by the secretary that the proposed project district is an eligible area, the governing body of the municipality shall pass an ordinance or resolution.

(1) An ordinance or resolution for a STAR bond project district shall:

(A) Make findings that the STAR bond project district proposed to be developed is

an historic theater, or a STAR bond project as defined in K.S.A. 2016 Supp. 12-17,162, and amendments thereto;

(B) contain a STAR bond project district plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each STAR bond project area. The boundaries of such STAR bond project district shall not include any area not designated in the notice required by subsection (a); and

(C) contain the legal description of the STAR bond project district and may establish the STAR bond project district.

(2) If no ordinance or resolution is passed by the city or county within 30 days from the conclusion of the public hearing, then such STAR bond project district shall not be established.

(d) The governing body of a city or county may establish a STAR bond project district within that city or such city may establish a district inclusive of land outside the boundaries of the city or wholly outside the boundaries of such city upon written consent of the board of county commissioners. Prior to providing written consent, the board of county commissioners must provide notice and hold a hearing as is required of a city pursuant to subsection (a) for the establishment of a STAR bond project district.

The governing body of a county may establish a STAR bond project district within the unincorporated area of the county.

(e) One or more STAR bond projects may be undertaken by a city or county within a STAR bond project district after such STAR bond project district has been established in the manner provided by this section.

(f) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the provisions of K.S.A. 2016 Supp. 12-17,160 et seq., and amendments thereto, if the board of county commissioners or the board of education levying taxes on such property determines by resolution adopted within 30 days following the conclusion of the hearing for the establishment of the STAR bond project district required by subsection (a) that the proposed STAR bond project district will have an adverse effect on such county or school district. The board of county commissioners or board of education shall deliver a copy of such resolution to the city or county. The city or county shall within 30 days of receipt of such resolution pass an ordinance or resolution dissolving the STAR bond project district. The provisions of this subsection shall not apply if the STAR bond project plan provides that ad valorem property tax revenues of the county or the school district levying taxes on such property will not be adversely impacted.

(g) A STAR bond project shall not include a project for a gambling casino.

(h) No new STAR bond project district may be established from the effective date of this act through July 1, 2018, except that, for STAR bond project districts established prior to the effective date of this act, the foregoing shall not prohibit a city or county from utilizing all provisions of the STAR bonds financing act, including, but not limited to, K.S.A. 2016 Supp. 12-17,171, and amendments thereto.

Sec. 3. K.S.A. 2016 Supp. 12-17,179 is hereby amended to read as follows: 12-17,179. (a) A city that created a redevelopment district in an eligible area that was approved for STAR bonds prior to the effective date of this act for the city of Manhattan Discovery Center on December 28, 2006, and the Schlitterbahn project in Wyandotte county on December 23, 2005, may by ordinance elect to have the provisions of this act

applicable to such redevelopment district.

(b) The provisions of this act regarding STAR bond projects shall expire on and after July 1, ~~2017~~ 2020.

Sec. 4. K.S.A. 2016 Supp. 79-32,110 is hereby amended to read as follows: 79-32,110. (a) *Resident Individuals*. Except as otherwise provided by K.S.A. 79-3220(a), and amendments thereto, a tax is hereby imposed upon the Kansas taxable income of every resident individual, which tax shall be computed in accordance with the following tax schedules:

(1) *Married individuals filing joint returns.*

(A) For tax year 2012:

If the taxable income is:.....	The tax is:
Not over \$30,000.....	3.5% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$1,050 plus 6.25% of excess
.....	over \$30,000
Over \$60,000.....	\$2,925 plus 6.45% of excess
.....	over \$60,000

(B) For tax year 2013:

If the taxable income is:.....	The tax is:
Not over \$30,000.....	3.0% of Kansas taxable income
Over \$30,000.....	\$900 plus 4.9% of excess over
.....	\$30,000

(C) For tax year 2014:

If the taxable income is:.....	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.8% of excess over
.....	\$30,000

(D) For tax years 2015; and 2016 ~~and 2017~~:

If the taxable income is:.....	The tax is:
Not over \$30,000.....	2.7% of Kansas taxable income
Over \$30,000.....	\$810 plus 4.6% of excess over
.....	\$30,000

(E) For tax year ~~2018~~; and all tax years thereafter 2017:

If the taxable income is:.....	The tax is:
Not over \$30,000.....	2.6% <u>2.9%</u> of Kansas taxable
income	
Over \$30,000 <u>but not over \$60,000</u>	\$780 <u>\$870</u> plus 4.6% <u>4.9%</u> of excess over
.....	\$30,000
Over \$60,000.....	\$2,340 plus 5.2% of excess over
.....	<u>\$60,000</u>

(F) For tax year 2018; and all tax years thereafter:

If the taxable income is:..... The tax is:

Not over \$30,000.....	3.1% of Kansas taxable income
Over \$30,000 but not over \$60,000.....	\$930 plus 5.25% of excess
.....	over \$30,000
Over \$60,000.....	\$2,505 plus 5.7% of excess
.....	over \$60,000

(2) *All other individuals.*

(A) For tax year 2012:

If the taxable income is:.....	The tax is:
Not over \$15,000.....	3.5% of Kansas taxable income
Over \$15,000 but not over \$30,000.....	\$525 plus 6.25% of excess
.....	over \$15,000
Over \$30,000.....	\$1,462.50 plus 6.45% of excess
.....	over \$30,000

(B) For tax year 2013:

If the taxable income is:.....	The tax is:
Not over \$15,000.....	3.0% of Kansas taxable income
Over \$15,000.....	\$450 plus 4.9% of excess over
.....	\$15,000

(C) For tax year 2014:

If the taxable income is:.....	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.8% of excess over
.....	\$15,000

(D) For tax years 2015; and 2016 and 2017:

If the taxable income is:.....	The tax is:
Not over \$15,000.....	2.7% of Kansas taxable income
Over \$15,000.....	\$405 plus 4.6% of excess over
.....	\$15,000

(E) For tax year ~~2018~~; and all tax years thereafter 2017:

If the taxable income is:.....	The tax is:
Not over \$15,000.....	2.6% <u>2.9%</u> of Kansas taxable
income	
Over \$15,000 <u>but not over \$30,000</u>	\$390 <u>\$435</u> plus 4.6% <u>4.9%</u> of
excess over	
.....	\$15,000
Over \$30,000.....	\$1,170 plus 5.2% of excess over
.....	<u>\$30,000</u>

(F) For tax year 2018, and all tax years thereafter:

<u>If the taxable income is:</u>	<u>The tax is:</u>
<u>Not over \$15,000.....</u>	<u>3.1% of Kansas taxable income</u>
<u>Over \$15,000 but not over \$30,000.....</u>	<u>\$465 plus 5.25% of excess</u>
.....	<u>over \$15,000</u>
<u>Over \$30,000.....</u>	<u>\$1,252.50 plus 5.7% of excess</u>
.....	<u>over \$30,000</u>

(b) *Nonresident Individuals.* A tax is hereby imposed upon the Kansas taxable income of every nonresident individual, which tax shall be an amount equal to the tax computed under subsection (a) as if the nonresident were a resident multiplied by the ratio of modified Kansas source income to Kansas adjusted gross income.

(c) *Corporations.* A tax is hereby imposed upon the Kansas taxable income of every corporation doing business within this state or deriving income from sources within this state. Such tax shall consist of a normal tax and a surtax and shall be computed as follows:

(1) The normal tax shall be in an amount equal to 4% of the Kansas taxable income of such corporation; and

(2) (A) for tax year 2008, the surtax shall be in an amount equal to 3.1% of the Kansas taxable income of such corporation in excess of \$50,000;

(B) for tax years 2009 and 2010, the surtax shall be in an amount equal to 3.05% of the Kansas taxable income of such corporation in excess of \$50,000; and

(C) for tax year 2011, and all tax years thereafter, the surtax shall be in an amount equal to 3% of the Kansas taxable income of such corporation in excess of \$50,000.

(d) *Fiduciaries.* A tax is hereby imposed upon the Kansas taxable income of estates and trusts at the rates provided in subsection (a)(2) hereof.

~~(e) Tax rates provided in this section shall be adjusted pursuant to the provisions of K.S.A. 2016 Supp. 79-32,269, and amendments thereto.~~

~~(f) Notwithstanding the provisions of subsections (a) and (b); (1) For tax year years 2016, and all tax years thereafter and 2017, married individuals filing joint returns with taxable income of \$12,500 or less, and all other individuals with taxable income of \$5,000 or less, shall have a tax liability of zero; and (2) for tax year 2018, and all tax years thereafter, married individuals filing joint returns with taxable income of \$5,000 or less, and all other individuals with taxable income of \$2,500 or less, shall have a tax liability of zero.~~

~~(f) No taxpayer shall be assessed penalties and interest arising from the underpayment of taxes due to changes to the rates in subsection (a) that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.~~

Sec. 5. K.S.A. 2016 Supp. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision

thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed

pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 2016 Supp. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 2016 Supp. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 2016 Supp. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 2016 Supp. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real

estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto, to the extent that such taxes

and assessments are claimed as a deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 2016 Supp. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2006, amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary which are contributed to a family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary at an institution of postsecondary education. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 2016 Supp. 75-643, and amendments thereto, and the provisions of such section are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing

separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For ~~all~~ taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For ~~all~~ taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) No taxpayer shall be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 6. K.S.A. 2016 Supp. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) If federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.

(4) For the tax years commencing on and after January 1, 2015, and ending before January 1, 2018, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(5) For the tax year commencing on and after January 1, 2018, and ending before January 1, 2019, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal

internal revenue code; (B) 50% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(6) For the tax year commencing on and after January 1, 2019, and ending before January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 75% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 75% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 75% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(7) For the tax years commencing on and after January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 100% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 100% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 100% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

Sec. 7. K.S.A. 2016 Supp. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section.

(b) There shall be added to federal taxable income: (i) The same modifications as are set forth in ~~subsection (b) of~~ K.S.A. 79-32,117(b), and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any

contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 2016 Supp. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2016 Supp. 40-2,190, and amendments thereto;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 2016 Supp. 72-99a07, and amendments thereto; and

(vi) the federal net operating loss deduction.

(c) There shall be subtracted from federal taxable income: (i) The same modifications as are set forth in ~~subsection (c)~~ of K.S.A. 79-32,117(c), and amendments thereto, with respect to resident individuals, except subsection (c)(xx);

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued. Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) of this section as existing for such year, bears to the federal taxable income for the same year;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 2016 Supp. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code; and

(v) for all taxable years commencing after December 31, 1987, 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income.

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c) hereof. Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 to K.S.A. 79-3293, inclusive, and amendments thereto, plus any refund of federal income tax as determined under ~~paragraph (iv) of subsection (b)~~ of K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by

subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) of K.S.A. 79-32,138, and amendments thereto, and subtraction modifications as provided for in subsection (c)(iii) of K.S.A. 79-32,138, and amendments thereto, as those subsections existed prior to their amendment by this act, shall be required to be made for such taxable year.

Sec. 8. K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120, 79-32,138 and 79-32,269 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the stricken material; by striking all in lines 2 and 3; in line 4, by striking all before the period, and inserting "taxation; relating to sales and compensating use tax, collection and distribution thereof, STAR bonds; income taxation, determination of Kansas adjusted gross income, modifications, rates, itemized deductions and credits; amending K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269";

And your committee on conference recommends the adoption of this report.

STEVEN C. JOHNSON

TOM PHILLIPS

TOM SAWYER

Conferees on part of House

CARYN TYSON

DAN KERSCHEN

TOM HOLLAND

Conferees on part of Senate

Call of the House was demanded.

On motion of Rep. Johnson, the conference committee report on **SB 30** was adopted.

On roll call, the vote was: Yeas 69; Nays 52; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Brim, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Dierks, Dietrich, Eplee, Finney, Francis, Gallagher, Gartner, Good, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, Phelps, Phillips, Pittman, Proehl, Ralph, Rooker, Ruiz, Sawyer, Sloan, Smith, A., Stogsdill, S. Swanson, Terrell, Trimmer, Victors, Ward, Weigel, Wheeler, Wilson, Wolfe Moore.

Nays: Arnberger, Aurand, Awerkamp, Blex, Burris, Burroughs, B. Carpenter, Claeys, Corbet, E. Davis, Delperdang, Dove, Elliott, Ellis, Esau, Finch, Frownfelter, Garber, Hawkins, Helgerson, Henderson, Hoffman, Houser, Huebert, Humphries, Jacobs, K. Jones, Karleskint, Lakin, Landwehr, Osterman, F. Patton, R. Powell, Raffie, Rahjes, Resman, Ryckman, Schreiber, Schroeder, Schwab, Seiwert, Smith, E., Sutton, Tarwater, Thompson, Vickrey, Waymaster, Weber, C., Whipple, Whitmer, K. Williams, Winn.

Present but not voting: None.

Absent or not voting: Barker, Highland, Mason, Thimesch.

REPORT ON ENROLLED BILLS

S Sub for HB 2278 reported correctly enrolled, properly signed and presented to the Governor on June 5, 2017.

On motion of Rep. Hineman, the House adjourned until 2:00 p.m., Tuesday, June 6, 2017.

Journal of the House

EIGHTY-FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Tuesday, June 6, 2017, 2:00 p.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 119 members present.

Reps. Aurand, Barker, Jacobs, Kessinger, Mason and Thimesch were excused on excused absence by the Speaker.

Excused later: Rep. Ralph.

Present later: Reps. Aurand, Kessinger and Ralph.

Prayer by Chaplain Brubaker:

God of comfort,
strength and refuge,
I call upon You today to come along side our leaders
and give them strength and encourage their hearts.
King Solomon, in his psalm to You reminds us that:
“Unless the Lord builds the house,
its builders labor in vain.
Unless the Lord watches over the city,
the watchmen stand guard in vain.
In vain you rise early and stay up late,
toiling for food to eat—
for He grants sleep to those He Loves.”
Isaiah also give us encouraging words when he said:
“The Lord is the everlasting God
the Creator of the ends of the earth,
He will not grow tired or weary,
and his understanding no one can fathom.
He gives strength to the weary
and increases the power of the weak.
May these promises be fulfilled in our leaders today.
I pray this in Christ’s Name, Amen.
(Psalm 127:1-4; Isaiah 40:28-29)

The Pledge of Allegiance was led by Rep. Williams.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 19**.

Also, the Senate adopts the Conference Committee report on **SB 30**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for HB 2002**.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Waymaster, the House nonconcurred in Senate amendments to **S Sub for HB 2002** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Waymaster, Davis and Wolfe Moore as conferees on the part of the House.

On motion of Rep. Hineman, the House recessed until 5:00 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senator Hilderbrand to replace to Senator Olson as a conferee on **HB 2409**

The Senate accedes to the request of the House for a conference on **S Sub for HB 2002** and has appointed Senators McGinn, Billinger and Kelly as conferees on the part of the Senate.

Announcing passage of **Sub SB 198**.

The Senate adopts the Conference Committee report on **Sub for HB 2230**.

The Senate adopts the Conference Committee report on **HB 2313**.

INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

Sub SB 198

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2230** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows: On page 1, by striking all in lines 10 through 34;

By striking all on pages 2 through 5;

On page 6, by striking line 1; following line 1, by inserting:

"New Section 1. (a) Notwithstanding any other provision in this act, any person who purchases, possesses, uses or consumes more than 400 cigarettes in this state without the required tax indicia being affixed as herein provided shall be liable for the

tax imposed by this act.

(b) The provisions of this section shall be part of and supplemental to the Kansas cigarette and tobacco products act.

New Sec. 2. For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this act:

(a) "Conviction" or "convicted" includes being convicted of a violation of this act or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this act;

(b) "conviction" or "convicted" includes being convicted of a violation of a law of another state or the United States, which prohibits the acts that this act prohibits or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law;

(c) only convictions occurring in the immediately preceding five years beginning on July 1, 2017, shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense, whichever is applicable; and

(d) it is irrelevant whether an offense occurred before or after conviction for a previous offense.

(e) The provisions of this section shall be part of and supplemental to the Kansas cigarette and tobacco products act.

Sec. 3. K.S.A. 2016 Supp. 79-3301 is hereby amended to read as follows: 79-3301. As used in K.S.A. 79-3301 et seq., and amendments thereto:

(a) "Act" means the Kansas cigarette and tobacco products act.

(b) "Carrier" means one who transports cigarettes from a manufacturer to a wholesale dealer or from one wholesale dealer to another.

~~(b)(c)~~ "Carton" means the container used by the manufacturer of cigarettes in which no more than 10 packages of cigarettes are placed prior to shipment from such manufacturer.

~~(d)~~ "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material except tobacco.

~~(d)(e)~~ "Conspicuous location or place" means a location or place available to the general public.

(f) "Consumer" means the person purchasing or receiving cigarettes or tobacco products for final use.

~~(g)~~ "Contracting entity" means any public or private person, firm or entity that has entered into a contract with the secretary of revenue to provide services.

(h) "Dealer" means any person who engages in the sale or manufacture of cigarettes, tobacco products or electronic cigarettes in the state of Kansas, and who is required to be licensed under the provisions of this act.

~~(h)(i)~~ "Dealer establishment" means any location or premises, other than vending machine locations, at or from which cigarettes, tobacco products or electronic cigarettes are sold, and where records are kept.

~~(g)(j)~~ "Director" means the director of taxation.

~~(h)(k)~~ "Distributor" means: (1) Any person engaged in the business of selling tobacco products in this state who brings, or causes to be brought, into this state from

outside the state any tobacco products for sale;

(2) any person who makes, manufactures, fabricates or stores tobacco products in this state for sale in this state; or

(3) any person engaged in the business of selling tobacco products outside this state who ships or transports tobacco products to any person in the business of selling tobacco products in this state.

(+)(l) "Division" means the division of taxation.

(+)(m) "Electronic cigarette" means a battery-powered device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems.

(n) "Importer" means the same as provided in 26 U.S.C. § 5702(k).

(o) "License" means the privilege of a licensee to sell cigarettes or tobacco products in the state of Kansas, and the written evidence of such authority or privilege as issued by the director.

(+)(p) "Licensee" means any person holding a current license issued pursuant to this act.

(+)(q) "Manufacturer" means the same as provided in 26 U.S.C. § 5702(d).

(r) "Manufacturer's salesperson" means a person employed by a cigarette manufacturer who sells cigarettes, manufactured by such employer and procured from wholesale dealers.

(m) ~~"Meter imprints" means tax indicia applied by means of ink printing machines.~~

(+)(s) (1) "Package" means a container in which no more than 25 individual cigarettes are wrapped and sealed by the manufacturer of cigarettes prior to shipment to a wholesale dealer;

(2) for the purposes of ~~subsections (u), (v) and (w) of K.S.A. 79-3321(v) and (w),~~ and amendments thereto, "package" means the same as provided in 15 U.S.C. § 1332(4).

(+)(t) "Person" means any individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise and any combination of individuals.

(+)(u) "Received" means the coming to rest of cigarettes for sale by any dealer in the state of Kansas.

(+)(v) "Retail dealer" or "retailers" means a person, other than a vending machine operator, in possession of cigarettes or electronic cigarettes for the purpose of sale to a consumer.

(+)(w) "Sale" means any transfer of title or possession or both, exchange, barter, distribution or gift of cigarettes ~~or tobacco products,~~ tobacco products or electronic cigarettes, with or without consideration.

(+)(x) "Sample" means cigarettes or tobacco products distributed to members of the general public at no cost for purposes of promoting the product.

(+)(y) "Self-service display" means a display that contains cigarettes or tobacco products and is located in an area openly accessible to a retail dealer's consumers, and from which such consumers can readily access cigarettes or tobacco products without the assistance of a salesperson, and which is knowingly utilized by the retail dealer to market and sell cigarettes and tobacco products to consumers. A display case that holds

cigarettes or tobacco products behind locked doors does not constitute a self-service display.

~~(z)~~ "Stamps" means tax indicia applied—either by means of water applied ~~gummed paper or heat process, pressure or any other process approved by the director.~~

~~(aa)~~ "Tax indicia" means visible evidence of tax payment in the form of stamps ~~or meter imprints.~~

~~(b)~~ "Tobacco products" means cigars, cheroots, stogies, periques; granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco; snuff, snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking. Tobacco products do not include cigarettes.

~~(c)~~ "Tobacco ~~specialty~~ specialty store" means a dealer establishment that derives at least ~~75~~ 65% of such dealer establishment's revenue from cigarettes or tobacco products.

~~(d)~~ "Vending machine" means any coin operated machine, contrivance or device, by means of which merchandise may be sold.

~~(e)~~ "Vending machine distributor" means any person who sells cigarette vending machines to a vending machine operator operating vending machines in the state of Kansas.

~~(f)~~ "Vending machine operator" means any person who places a vending machine, owned, leased or operated by such person, at locations where cigarettes are sold from such vending machine. The owner or lessee of the premises upon which a vending machine is placed shall not be considered the operator of the machine, nor shall the owner or lessee, or any employee or agent of the owner or lessee be considered an authorized agent of the vending machine operator, if the owner or lessee does not own or lease the machine and the owner's or lessee's sole remuneration from the machine is a flat rental fee or commission based upon the number or value of cigarettes sold from the machine, or a combination of both.

~~(g)~~ "Wholesale dealer" means any person who sells cigarettes to other wholesale dealers, retail dealers, vending machine operators and manufacturer's salespersons for the purpose of resale in the state of Kansas.

~~(h)~~ "Wholesale sales price" means the original net invoice price for which a manufacturer sells a tobacco product to a distributor, as shown by the manufacturer's original invoice.

~~(i)~~ "Importer" means the same as provided in 26 U.S.C. § 5702(i).

~~(j)~~ "Manufacturer" means the same as provided in 26 U.S.C. § 5702(d).

~~(k)~~ "Electronic cigarette" means a battery-powered device, whether or not such device is shaped like a cigarette, that can provide inhaled doses of nicotine by delivering a vaporized solution by means of cartridges or other chemical delivery systems.

Sec. 4. K.S.A. 2016 Supp. 79-3302 is hereby amended to read as follows: 79-3302.

(a) K.S.A. 79-3301 through 79-3304, 79-3306, 79-3309, 79-3310, 79-3311, 79-3312, 79-3312a, 79-3313, 79-3316, 79-3321, 79-3322, 79-3323, 79-3324a, 79-3326, 79-3328, 79-3329, 79-3333, 79-3335, 79-3371, 79-3373, 79-3374, 79-3375, 79-3377, 79-3378, 79-3379, 79-3387, 79-3388, 79-3391, 79-3392, 79-3393, 79-3394 and K.S.A. 2016

Supp. 79-3395 through ~~79-3398~~ 79-3399, section 1, section 2 and section 24, and amendments thereto, shall be known and may be cited as the Kansas cigarette and tobacco products act.

(b) It is the purpose and intent of this act to regulate the sale of cigarettes and tobacco products in this state and to impose a tax thereon.

Sec. 5. K.S.A. 2016 Supp. 79-3303 is hereby amended to read as follows: 79-3303.

(a) Each person engaged in the business of selling cigarettes or electronic cigarettes in the state of Kansas and each vending machine distributor shall obtain a license as provided by this act. A separate application, license and fee is required for each dealer establishment owned or operated by a dealer. A vending machine operator is required to obtain a vending machine operator's master license and, in addition, a separate permit for each vending machine operated by the operator. A vending machine operator may submit one application for the vending machine operator's master license and all permits for vending machines operated by the operator. The license shall be displayed in the dealer establishment and the vending machine permit shall remain securely and visibly attached to the vending machine and contain such information as the director may require. Any vending machine found without such permit attached to the machine shall be sealed by an agent of the director and such seal shall be removed only by an agent of the director after payment of the permit fee and the penalties provided by this act.

(b) The application for a vending machine operator's master license and vending machine permits shall list the brand name and serial number of each machine and such other information as required by the director. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any officer or employee of the division to divulge or make known in any way the location of any vending machine to any person not an officer or employee of the division or contracting entity of the division, where the division has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality, except that such information may be divulged to any law enforcement officer for use in the officer's official duties. Any officer ~~or~~ employee or contracting entity revealing any such location in violation of this provision, in addition to the penalties otherwise provided in this act, shall be dismissed from office.

(c) A vending machine operator, in the course of business as a vending machine operator, may dispose of or sell vending machines without securing a license to sell vending machines. The vending machine operator may move vending machines from one location to another and, if a vending machine becomes inoperative or is disposed of, the permit for such machine may be transferred to another machine. A vending machine operator, within 10 days, shall notify the director of the brand name and serial number of vending machines that become inoperative or that the operator disposes of, sells, acquires or brings into service in this state as additional machines.

(d) The key to the lower or storage compartment of a vending machine shall remain only in the possession of the vending machine operator or the operator's authorized agent. All services connected with the operation of a vending machine shall be performed by the vending machine operator or the operator's authorized agent. All vending machines shall be subject to inspection by the director or the director's authorized agents. No permit shall be issued for a vending machine unless it is constructed so that at least one package of each vertical column of cigarettes located

therein is visible showing tax indicia.

(e) All vending machines operated on military installations shall have a permit affixed to the machines and the cigarettes shall show tax indicia of the Kansas tax.

(f) On or before the 10th day of each month, each vending machine distributor shall report to the director, on forms provided by the director, all sales of cigarette vending machines by the distributor to persons in the state of Kansas during the preceding month; the name and address of the purchaser; and the brand name, serial number and sale price of the machines.

(g) Concurrently with a change in ownership of a dealer establishment the license applicable to the establishment is void and shall be surrendered to the director and shall not be transferred. On removal of a dealer establishment from one location to another, the owner of the establishment shall notify the director and surrender the owner's license. The director shall issue a new license for the unexpired term of the surrendered license on payment of a fee of \$2. If a dealer's license is lost, stolen or destroyed, the director may issue a new license on proof of loss, theft or destruction, at a cost of \$2. The director shall remit all moneys received under this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

Sec. 6. K.S.A. 79-3304 is hereby amended to read as follows: 79-3304. (a) The license fee for each biennium or portion thereof shall be as follows:

- (1) For retail dealer's license, \$25 for each dealer establishment.
 - (2) For retailer's license on railroad or sleeping cars, \$50. Only one retail license need be obtained by each railroad or sleeping car company to permit the sale of cigarettes on any or all of its cars within the state.
 - (3) For show, carnival or catering license, \$50 for each concession.
 - (4) For resident retail dealer's temporary license for a place of business of a temporary nature, \$2 for each seven days or portion thereof.
 - (5) For wholesale dealer's license, \$50 for each dealer establishment. No wholesale dealer's license shall be issued until the person applying therefor has filed with the director a bond payable to the state of Kansas in such an amount as shall be fixed by the director, but in no event less than \$1,000, with a corporate surety authorized to do business in the state of Kansas, and approved by the director. If a wholesale dealer is unable to secure a corporate surety bond, the director may issue a license to such wholesale dealer, upon the wholesale dealer furnishing a personal bond meeting the approval of the director. Such bond shall be conditioned on the wholesale dealer's compliance with all the provisions of this act during the license period.
 - (6) For vending machine distributor's license, \$50.
 - (7) For manufacturer's salesperson license, \$20 for each salesperson. The manufacturer's salesperson shall, with respect to each sale made to a retail dealer, make and deliver to the retail dealer a true invoice wherein such salesperson shall insert the name of the wholesale dealer from whom such salesperson secured such cigarettes, together with such salesperson's own name and the name of the retail dealer purchasing the cigarettes.
 - (8) For vending machine operator's license, no fee.
 - (9) For vending machine permit, \$25 for each permit.
- (b) An application for any license required under the provisions of this act may be

refused to: (1) A person who is not of good character and reputation in the community in which such person resides; or (2) a person who has been convicted of a felony or of any crime involving moral turpitude or of the violation of any law of any state or the United States pertaining to cigarettes or tobacco products and who has not completed the sentence, parole, probation or assignment to a community correctional services program imposed for any such conviction within two years immediately preceding the date of making application for any of such licenses.

(c) The director may refuse to issue or renew a license to any person who:

(1) Has been convicted on or after January 1, 2013, of a felony under the laws of this state or any other state or the United States;

(2) is not current in the payment of any tax or fine under this act;

(3) has had a cigarette license revoked in this state or any other state;

(4) is not at least 18 years of age;

(5) intends to carry on the business as an agent of another;

(6) at the time of application for renewal of any license issued under this act, would not be eligible for the license upon first application;

(7) does not own the premises for which a license is sought, or does not, at the time of the application, have a written lease;

(8) has been convicted of a crime involving any tax under this act;

(9) is a corporation in which any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director or stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation that:

(A) Has had a license revoked under this act; or

(B) has been convicted of a crime involving any tax under this act; or

(10) is a limited liability company in which any officer, manager or director thereof, or any member owning in the aggregate more than 5% of the limited liability company, has been an officer, manager or director or stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation that:

(A) Has had a license revoked under this act; or

(B) has been convicted of a crime involving any tax under this act.

Sec. 7. K.S.A. 79-3309 is hereby amended to read as follows: 79-3309. (a) Whenever the director has reason to believe that any person licensed under this act has violated any of the provisions of this act, in any of the following ways, the director shall notify the person by certified mail of the director's intention to suspend or revoke the person's license or licenses, if the person:

(1) Has been convicted on or after January 1, 2013, of a felony under the laws of this state or any other state or the United States;

(2) is not current in the payment of any tax or fine under this act;

(3) has had a cigarette license revoked in this state or any other state;

(4) is not at least 18 years of age;

(5) intends to carry on the business as an agent of another;

(6) at the time of application for renewal of any license issued under this act, would not be eligible for the license upon first application;

(7) does not own the premises for which a license is sought, or does not, at the time of the application, have a written lease;

(8) has been convicted of a crime involving any tax under this act;

(9) in the case of a corporation, any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director or stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation that:

(A) Has had a license revoked under this act; or

(B) has been convicted of a crime involving any tax under this act; or

(10) in the case of a limited liability company, any officer, manager or director thereof, or any member owning in the aggregate more than 5% of the limited liability company, has been an officer, manager or director or stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation that:

(A) Has had a license revoked under this act; or

(B) has been convicted of a crime involving any tax under this act.

(b) Within ~~10~~ 30 days after the mailing of the notice, the person may request a hearing in writing before the director. The hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act. If, after such hearing, it appears to the satisfaction of the director that the person has violated any of the provisions of this act, the director is hereby authorized and empowered to suspend or revoke the person's license or licenses and may in addition deny the application of the person for a license or licenses for a portion of the succeeding calendar year for such period as the director determines is necessary, but in no case for a period ending more than one year following the date upon which the license or licenses were suspended or revoked. The suspension or revocation of a vending machine operator's master license shall suspend or revoke all vending machine permits issued to the vending machine operator for the term of the license suspension or revocation.

~~(b)~~(c) If a person continues to engage in activities requiring a license under this act after having notice or knowledge of the suspension or revocation of the person's license or licenses or after becoming more than 10 days delinquent in filing a bond payable to the state of Kansas as required by the director, payment of any fine, tax, penalty or interest imposed pursuant to this act, the state shall be entitled, in any proceedings brought for such purposes, to have an order and judgment restraining and enjoining such unlawful sale and no bond shall be required for the issuance of any such restraining order or injunction.

Sec. 8. K.S.A. 2016 Supp. 79-3311 is hereby amended to read as follows: 79-3311. The director shall design and designate indicia of tax payment to be affixed to each package of cigarettes as provided by this act. ~~The director shall sell water applied stamps only to licensed wholesale dealers in the amounts of 1,000 or multiples thereof. Stamps applied by the heat process shall be sold only in amounts of 30,000 or multiples thereof, except that such stamps which are suitable for packages containing 25 cigarettes each shall be sold in amounts prescribed by the director. Meter imprints shall be sold only in amounts of 10,000 or multiples thereof. Water applied stamps in amounts of 10,000 or multiples thereof and Stamps applied by the heat process and meter imprints shall be supplied to wholesale dealers in good standing with the director at the time of purchase~~ at a discount of 0.55% on and after July 1, 2015, and thereafter, from the face value thereof, and shall be deducted at the time of purchase or from the remittance therefor as hereinafter provided. Any wholesale cigarette dealer who shall file with the director a bond, of acceptable form, payable to the state of Kansas with a corporate surety authorized to do business in Kansas, shall be permitted to purchase

stamps, and remit therefor to the director within 30 days after each such purchase, up to a maximum outstanding at any one time of 85% of the amount of the bond. Failure on the part of any wholesale dealer to remit as herein specified shall be cause for forfeiture of such dealer's bond. All revenue received from the sale of such stamps ~~or meter imprints~~ shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. The state treasurer shall first credit such amount as the director shall order to the cigarette tax refund fund and shall credit the remaining balance to the state general fund. A refund fund designated the cigarette tax refund fund not to exceed \$10,000 at any time shall be set apart and maintained by the director from taxes collected under this act and held by the state treasurer for prompt payment of all refunds authorized by this act. Such cigarette tax refund fund shall be in such amount as the director shall determine is necessary to meet current refunding requirements under this act.

The wholesale cigarette dealer shall affix to each package of cigarettes stamps ~~or tax meter imprints~~ required by this act prior to the sale of cigarettes to any person, by such dealer or such dealer's agent or agents, within the state of Kansas. The director is empowered to authorize wholesale dealers to affix revenue tax ~~meter imprints stamps~~ upon original packages of cigarettes and is charged with the duty of regulating the use of tax ~~meters stamps~~ to secure payment of the proper taxes. No wholesale dealer shall affix revenue tax ~~meter imprints stamps~~ to original packages of cigarettes without first having obtained permission from the director to employ this method of affixation. If the director approves the wholesale dealer's application for permission to affix revenue tax ~~meter imprints stamps~~ to original packages of cigarettes, the director shall require such dealer to file a suitable bond payable to the state of Kansas executed by a corporate surety authorized to do business in Kansas. The director may, to assure the proper collection of taxes imposed by the act, revoke or suspend the privilege of ~~imprinting tax meter imprints affixing tax stamps~~ upon original packages of cigarettes. ~~All meters shall be under the direct control of the director, and all transfer assignments or anything pertaining thereto must first be authorized by the director. All inks used in the stamping of cigarettes must be of a special type devised for use in connection with the machine employed and approved by the director. All repairs to the meter are strictly prohibited except by a duly authorized representative of the director. Requests for service shall be directed to the director. Meter machine ink imprints on all packages shall be clear and legible. If a wholesale dealer continuously issues illegible cigarette tax meter imprints, it shall be considered sufficient cause for revocation of such dealer's permit to use a cigarette tax meter.~~

A licensed wholesale dealer may, for the purpose of sale in another state, transport cigarettes not bearing Kansas indicia of tax payment through the state of Kansas provided such cigarettes are contained in sealed and original cartons.

Sec. 9. K.S.A. 2016 Supp. 79-3312 is hereby amended to read as follows: 79-3312. The director shall redeem any unused stamps ~~or meter imprints~~ that any wholesale dealer presents for redemption within six months after the purchase thereof, at the face value less 0.55% thereof if such stamps ~~or meter imprints~~ have been purchased from the director and are whole, complete stamps. The director shall prepare a voucher showing the net amount of such refund due, and the director of accounts and reports shall draw a warrant on the state treasurer for the same. Wholesale dealers shall be entitled to a

refund of the tax paid on cigarettes which have become unfit for sale upon proof thereof less 0.55% of such tax.

Sec. 10. K.S.A. 2016 Supp. 79-3316 is hereby amended to read as follows: 79-3316. (a) All purchases of cigarettes by any dealer shall be evidenced by an invoice, a duplicate of which shall be furnished to the party receiving the cigarettes from any dealer.

(b) Purchases of cigarettes by wholesale dealers shall be made from the manufacturers of cigarettes or from other Kansas licensed wholesale dealers. Purchases of cigarettes by retail dealers or vending machine operators shall be from wholesale dealers.

(c) All invoices issued by wholesale dealers shall be in duplicate and a copy must accompany the consigned cigarettes. Cigarettes sold by a wholesale dealer to any other dealer shall be evidenced by invoices bearing the vendee's name and license number. A wholesale dealer selling cigarettes to a manufacturer's salesperson shall at the time of delivery of same make a true duplicate invoice, inserting therein the name of the salesman together with the name of such salesperson's employer, except that for an outlet, or fuel outlet or fuel center owned by the same entity, separate invoices are not required if cigarettes are sold from the fuel outlet owned by the same entity.

(d) All records pertaining to sales of cigarettes by dealers in the state of Kansas shall be preserved for a period of three years and shall be available for inspection by the director or the director's designee at the dealer's place of business or, if the dealer has more than one place of business in the state, at a central location of the dealer.

(e) Every wholesale dealer shall report to the director on or before the 10th day of each month, stating the amount of cigarettes sold during the preceding month and the amount of all cigarettes returned to the manufacturer. Any wholesale dealer who refuses any shipment or part of a shipment of unstamped cigarettes or has a shortage in the shipment of cigarettes consigned to such dealer shall in the monthly report next following the refusal or shortage report to the director the number of packages or cartons of cigarettes refused or short and the name of the carrier from whom the cigarettes were refused or shortage occurred. Such report shall be ~~made on forms provided filed electronically in the manner prescribed~~ by the director ~~and shall contain such other information as the director may require.~~

(f) Exemption from payment of cigarette tax on sale of cigarettes made outside the state by any wholesale dealer shall be filed on forms provided by the director.

Sec. 11. K.S.A. 2016 Supp. 79-3321 is hereby amended to read as follows: 79-3321. It shall be unlawful for any person:

(a) ~~To possess.~~ Except as otherwise specifically provided by this act, to possess, sell, transport, import, distribute, wholesale or manufacture more than ~~200~~ 1,000 cigarettes without the required tax indicia being affixed as herein provided.

(b) To mutilate or attach to any individual package of cigarettes any stamp that has in any manner been mutilated or that has been heretofore attached to a different individual package of cigarettes or to have in possession any stamps so mutilated.

(c) To prevent the director or any officer or agent authorized by law, to make a full inspection for the purpose of this act, of any place of business and all premises connected thereto where cigarettes are or may be manufactured, sold, distributed, or given away.

(d) To use any artful device or deceptive practice to conceal any violation of this

act or to mislead the director or officer or agent authorized by law in the enforcement of this act.

(e) Who is a dealer to fail to produce on demand of the director or any officer or agent authorized by law any records or invoices required to be kept by such person.

(f) Knowingly to make, use, or present to the director or agent thereof any falsified invoice or falsely state the nature or quantity of the goods invoiced.

(g) Who is a dealer to fail or refuse to keep and preserve for the time and in the manner required by this act all the records required by this act to be kept and preserved.

(h) To wholesale cigarettes to any person, other than a manufacturer's salesperson, retail dealer or wholesaler who is:

(1) Duly licensed by the state where such manufacturer's salesperson, retail dealer or wholesaler is located; or

(2) exempt from state licensing under applicable state or federal laws or court decisions including any such person operating as a retail dealer upon land allotted to or held in trust for an Indian tribe recognized by the United States bureau of Indian affairs.

(i) To have in possession any evidence of tax indicia provided for herein not purchased from the director.

(j) To fail or refuse to permit the director or any officer or agent authorized by law to inspect a carrier transporting cigarettes.

(k) To vend small cigars, or any products so wrapped as to be confused with cigarettes, from a machine vending cigarettes, nor shall a vending machine be so built to vend cigars or products that may be confused with cigarettes, be attached to a cigarette vending machine.

(l) To sell, furnish or distribute cigarettes, electronic cigarettes or tobacco products to any person under 18 years of age.

(m) Who is under 18 years of age to purchase or attempt to purchase cigarettes, electronic cigarettes or tobacco products.

(n) Who is under 18 years of age to possess or attempt to possess cigarettes, electronic cigarettes or tobacco products.

(o) To sell cigarettes to a retailer or at retail that do not bear Kansas tax indicia or upon which the Kansas cigarette tax has not been paid.

(p) To sell cigarettes without having a license for such sale as provided herein.

(q) To sell a vending machine without having a vending machine distributor's license.

(r) Who is a retail dealer to fail to post and maintain in a conspicuous place in the dealer's establishment the following notice: "By law, cigarettes, electronic cigarettes and tobacco products may be sold only to persons 18 years of age and older."

(s) To distribute samples within 500 feet of any school when such facility is being used primarily by persons under 18 years of age unless the sampling is:

(1) In an area to which persons under 18 years of age are denied access;

(2) in or at a retail location where cigarettes and tobacco products are the primary commodity offered for sale at retail; or

(3) at or adjacent to an outdoor production, repair or construction site or facility.

(t) To sell cigarettes, electronic cigarettes or tobacco products by means of a vending machine, including vending machines that sell packaged, single cigarettes, in any establishment, or portion of an establishment, which is open to minors, except that this subsection shall not apply to:

(1) The installation and use by the proprietor of the establishment, or by the proprietor's agents or employees, of vending machines behind a counter, or in some place in such establishment, or portion thereof, to which minors are prohibited by law from having access; or

(2) the installation and use of a vending machine in a commercial building or industrial plant, or portions thereof, where the public is not customarily admitted and where machines are intended for the sole use of adult employees employed in the building or plant; ~~or~~

~~(3) a vending machine which has a lock-out device which is inoperable in the continuous standby mode and which requires manual activation by the person supervising the operation of the machine each time cigarettes or tobacco products are purchased from the machine.~~

(u) To sell cigarettes, electronic cigarettes or tobacco products by means of a self-service display in any establishment, except that the provisions of this subsection shall not apply to:

(1) A vending machine that is permitted under subsection (t); ~~or~~

(2) a self-service display that is located in a tobacco specialty store; or

(3) a self-service display located in a facility where the retailer ensures that no person younger than 18 years of age is present or permitted to enter at any time.

(v) To sell or distribute in this state; to acquire, hold, own, possess or transport for sale or distribution in this state; or to import or cause to be imported, into this state for sale or distribution in this state:

(1) Any cigarettes the package of which: (A) Bears any statement, label, stamp, sticker or notice indicating that the manufacturer did not intend the cigarettes to be sold, distributed or used in the United States, including but not limited to, labels stating "For Export Only," "U.S. Tax-Exempt," "For Use Outside U.S." or similar wording; or (B) does not comply with: (i) All requirements imposed by or pursuant to federal law regarding warnings and other information on packages of cigarettes manufactured, packaged or imported for sale, distribution or use in the United States, including but not limited to the precise warning labels specified in the federal cigarette labeling and advertising act, 15 U.S.C. § 1333; and (ii) all federal trademark and copyright laws;

(2) any cigarettes imported into the United States in violation of 26 U.S.C. § 5754 or any other federal law, or federal regulations implementing such laws;

(3) any cigarettes that such person otherwise knows or has reason to know the manufacturer did not intend to be sold, distributed or used in the United States; or

(4) any cigarettes for which there has not been submitted to the secretary of the U.S. department of health and human services the list or lists of the ingredients added to tobacco in the manufacture of such cigarettes required by the federal cigarette labeling and advertising act, 15 U.S.C. § 1335a.

(w) To alter the package of any cigarettes, prior to sale or distribution to the ultimate consumer, so as to remove, conceal or obscure:

(1) Any statement, label, stamp, sticker or notice described in subsection (v); or

(2) any health warning that is not specified in, or does not conform with, the requirements of, the federal cigarette labeling and advertising act, 15 U.S.C. § 1333.

(x) To affix any stamp required pursuant to K.S.A. 79-3311, and amendments thereto, to the package of any cigarettes described in subsection (v) or altered in violation of subsection (w).

(y) To possess, sell, transport, import, distribute, wholesale or manufacture cigarettes, smokeless tobacco or roll-your-own tobacco in violation of K.S.A. 50-6a01 et seq., and amendments thereto.

(z) To sell cigarettes, smokeless tobacco or roll-your-own tobacco in any manner that is not a direct, face-to-face exchange between the retailer and the consumer, except: (1) Mail-order sales, which shall not include mail-order redemption coupons and distribution of free samples through the mail; (2) vending machines as provided in subsection (t); and (3) self-service displays as provided in subsection (u).

Sec. 12. K.S.A. 2016 Supp. 79-3322 is hereby amended to read as follows: 79-3322. (a) Any person who violates any of the provisions of the Kansas cigarette and tobacco products act, (1) Except as otherwise provided in this act, shall be guilty of a violation of K.S.A. 79-3321(a), (c), (d), (f), (h), (i), (j), (v), (w), (x) or (y), and amendments thereto, is a:

(A) Class A misdemeanor for a first violation, and the offender shall be fined not less than \$1,000 nor more than \$2,500 upon a first conviction;

(B) severity level 6, nonperson felony for a second violation, and the offender shall be fined not less than \$50,000 nor more than \$100,000 upon a second conviction; and

(C) severity level 6, nonperson felony for a third and all subsequent violations, and the offender shall be fined \$100,000 upon a third and all subsequent convictions.

(2) It shall be a defense to prosecution under K.S.A. 79-3321(a), and amendments thereto, that a licensee has: (A) Segregated the cigarettes from public view; (B) marked the cigarettes as not for retail sale to consumers; and (C) within 72 hours of receipt, notified the licensee's wholesale dealer, in writing, that the cigarettes do not bear indicia of Kansas tax and that the wholesale dealer shall remove the cigarettes from the licensee's premises.

(b) Except as provided in subsections (a), (c) or (d), a violation of K.S.A. 79-3321, and amendments thereto, is a class B misdemeanor and upon conviction, an offender shall be punished by a fine of ~~not less than \$500 nor more than \$1,000 or imprisonment~~ imprisoned for not more than one year, or ~~by both for each separate violation~~. In addition thereto any person found liable for any license fee or tax imposed under the provisions of this act shall be personally liable for such license fee or tax plus a penalty in an amount equal to 100% thereof.

(c) (1) It is a class B person misdemeanor punishable by a minimum fine of \$200 for any person to: (A) Sell, give or furnish any cigarettes or tobacco products to any person under 18 years of age; or (B) buy any cigarettes or tobacco products for any person under 18 years of age.

(2) It shall be a defense to a prosecution under this subsection if: (A) The defendant is a licensed retail dealer, or employee thereof, or a person authorized by law to distribute samples; (B) the defendant sold, furnished or distributed the cigarettes or tobacco products to the person under 18 years of age with reasonable cause to believe the person was of legal age to purchase or receive cigarettes or tobacco products; and (C) to purchase or receive the cigarettes or tobacco products, the person under 18 years of age exhibited to the defendant a driver's license, Kansas nondriver's identification card or other official or apparently official document containing a photograph of the person and purporting to establish that the person was of legal age to purchase or receive cigarettes or tobacco products.

(3) It shall be a defense to a prosecution under this subsection if: (A) The defendant

engages in the lawful sale, furnishing or distribution of cigarettes or tobacco products by mail; and (B) the defendant sold, furnished or distributed the cigarettes or tobacco products to the person by mail only after the person had provided to the defendant an unsworn declaration, conforming to K.S.A. 53-601, and amendments thereto, that the person was 18 or more years of age.

(4) For purposes of this subsection the person who violates this subsection shall be the individual directly selling, furnishing or distributing the cigarettes or tobacco products to any person under 18 years of age or the retail dealer who has actual knowledge of such selling, furnishing or distributing by such individual or both.

~~(e)(d)~~ Violation of ~~subsection (m) or (n)~~ of K.S.A. 79-3321(m) or (n), and amendments thereto, is a cigarette or tobacco infraction for which the fine is \$25. In addition, the judge may require the juvenile to appear in court with a parent or legal guardian.

~~(d)(c)~~ Any agent, employees or others who aid, abet or otherwise participate in any way in the violation of the Kansas cigarette and tobacco products act or in any of the offenses hereunder punishable shall be guilty and punished as principals to the same extent as any person violating this act.

(f) The secretary of revenue or the secretary's authorized agent may refer such evidence as may be available concerning violations of this act or any rules and regulations or order hereunder to the attorney general or the proper county or district attorney, who may in the prosecutor's discretion, with or without such a reference, institute the appropriate criminal proceedings under this act. Upon receipt of such reference, the attorney general or the county attorney or district attorney may request that a duly employed attorney of the department of revenue prosecute or assist in the prosecution of such violation or violations on behalf of the state. Upon approval of the secretary or the secretary's authorized agent, such employee shall be appointed a special prosecutor for the attorney general or the county attorney or district attorney to serve without compensation from the attorney general or the county attorney or district attorney. Such special prosecutor shall have all the powers and duties prescribed by law for assistant attorneys general or assistant county or district attorneys and such other powers and duties as are lawfully delegated to such special prosecutor by the attorney general or the county attorney or district attorney. If an attorney employed by the secretary or secretary's authorized agent acts as a special prosecutor, the secretary may pay extradition and witness expenses associated with the case.

Sec. 13. K.S.A. 79-3323 is hereby amended to read as follows: 79-3323. (a) Except as provided in subsection (c), the following are declared to be common nuisances and contraband:

(1) All packages of cigarettes, in quantities of 20 packages or more, not bearing indicia of tax payment as required in this act and all devices for vending cigarettes in which unstamped packages are found;

(2) all packages of cigarettes, in quantities of 20 packages or more, not bearing indicia of tax payment as required by any compact between:

(A) The governor and the Prairie Band Potawatomi Nation and approved by the legislature; (B) the governor and the Iowa Tribe of Kansas and Nebraska and approved by the legislature; (C) the governor and the Kickapoo Tribe in Kansas and approved by the legislature; or (D) the governor and the Sac and Fox Nation of Missouri in Kansas and Nebraska and approved by the legislature;

~~(4)~~(3) all cigarettes or tobacco products in the possession of a minor; ~~and~~
 (4) cigarettes, smokeless tobacco or roll-your-own tobacco in violation of K.S.A. 50-6a01 et seq., and amendments thereto; and

~~(5)~~(5) all property, other than including vehicles, used in the retail sale, transportation, distribution, importation, wholesale or manufacture of unstamped packages of cigarettes.

Cigarettes in vending machines and exposed to view not showing indicia of tax payment required by this act to be visible from the outside of the vending machine shall be presumed to be unstamped.

(b) Any cigarettes or property constituting a common nuisance and contraband as provided by this section may be seized by the director or the director's authorized agent or any duly constituted peace officer with or without process or warrant and shall be subject to forfeiture as provided in this act. The party making the seizure shall deliver to the owner of the property and to the person or persons found in possession of the property a receipt stating from whom the property was seized, the place of seizure and a description and the brand of the property seized. A duplicate of the receipt shall be filed in the office of the director and shall be open for public inspection.

(c) Cigarettes in quantities of 1,000 or less in the possession of a licensee are not declared a common nuisance and contraband if the licensee has: (1) Segregated the cigarettes from public view; (2) marked the cigarettes as not for retail sale to consumers; and (3) within 72 hours of receipt, notified the licensee's wholesale dealer, in writing, that the cigarettes do not bear indicia of Kansas tax and that the wholesale dealer shall remove the cigarettes from the licensee's premises.

Sec. 14. K.S.A. 79-3324a is hereby amended to read as follows: 79-3324a. (a) All of the cigarettes and property seized by the director or the director's authorized agent shall first be listed and appraised by the person making the seizure, and turned over to the director and a receipt taken. The person making the seizure shall immediately make and file a written report showing the name of the person making the seizure, the place where, and the person from whom the property was seized, and inventory and appraisal thereof, at the usual and ordinary wholesale price of the articles received by the director of taxation. The director shall institute forfeiture proceedings within the department of revenue in the name of the state of Kansas, as plaintiff, and in the name of the owner or person in possession, as defendant, if known, and if unknown, in the name of the property seized. The director shall issue notice to the owner or person in whose possession such property was found, directing such person to answer within 10 days. The forfeiture hearing under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act. If the property is declared forfeited and ordered sold, notice of the sale shall be posted in the official newspaper of Shawnee county, Kansas, not less than 10 days before the date of the sale, except that cigarettes shall be withheld from public sale and shall be sold by the director of taxation to the manufacturer of such cigarettes or to a licensed distributor and the purchase price shall be paid to the director of taxation and treated as cigarette tax collected. After deducting all costs incurred in the seizure, forfeiture and sale of all contraband, including cigarettes and property seized by the director or by the director's authorized agent, pursuant to this subsection, all such proceeds shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire

amount in the state treasury to the credit of the cigarette and tobacco products regulation fund created by K.S.A. 79-3391, and amendments thereto, and such proceeds shall be used exclusively for cigarette and tobacco products regulation and enforcement, and not for any other purpose.

(b) All of the cigarettes and property seized by officers of the state of Kansas, other than the director or the director's authorized agent, shall first be listed and appraised by the officer making the seizure, and turned over to the county sheriff of the county in which the seizure is made and a receipt ~~therefor~~ taken. The person making the seizure shall immediately make and file a written report ~~thereof~~ showing the name of the person making the seizure, the place where, and the person from whom the property was seized, and inventory and ~~appraisal~~ appraisal thereof, at the usual and ordinary wholesale price of the articles received to the director of taxation. The county or district attorney of the county in which the seizures are made may, at the request of the director, file in the district court forfeiture proceedings in the name of the state of Kansas, as plaintiff, and in the name of the owner or person in possession, as defendant, if known, and if unknown in the name of the property seized. The clerk of the court shall issue summons to the owner or person in whose possession such property was found, ~~directing him or her~~ such person to answer within ~~ten (10)~~ days. If the property is declared forfeited and ordered sold, notice of the sale shall be posted in ~~five (5)~~ public places in the county not less than ~~ten (10)~~ days before the date of the sale, except that cigarettes shall be withheld from public sale and shall be sold by the director of taxation to the manufacturer of such cigarettes or to a licensed distributor and the purchase price shall be paid to the director of taxation and treated as cigarette tax collected. The proceeds of any public sale shall be deposited with the clerk of the court, who shall, after deducting costs, including the costs of the sale, pay the balance to the treasurer of the county ~~wherein said the~~ sale is constructed. ~~Said~~ The treasurer shall credit the entire amount ~~thereof~~ to the county general fund.

~~(b)(c)~~ (c) The seizure and sale of the cigarettes shall not relieve the person from whom the cigarettes were seized from any prosecution on the payment of any penalties provided for under the provisions of K.S.A. 79-3301 et seq., and amendments thereto; nor shall it relieve the purchaser ~~thereof~~ from any payment of the regular cigarette tax and the placing of proper stamps thereon before making any sale of the cigarettes or the personal consumption of the same.

~~(e)(d)~~ (d) The forfeiture provisions of this act shall only apply to persons having possession of or transporting cigarettes with intent to barter, sell or give away the same. The possession of cigarettes in any quantity of more than ~~two (2)~~ five cartons, ~~twenty (20)~~ 50 packages or ~~four hundred (400)~~ 1,000 cigarettes, not bearing indicia of tax payment as required by the provisions of K.S.A. 79-3301 et seq., and amendments thereto, shall be prima facie evidence of intent to barter, sell or give away the cigarettes in violation of the provisions of K.S.A. 79-3301 et seq., and amendments thereto.

Sec. 15. K.S.A. 79-3326 is hereby amended to read as follows: 79-3326. The director of taxation shall administer and enforce the provisions of this act, and to require such reports, make such investigations and take such other action as the director deems necessary or suitable to that end. For the purpose of ascertaining the correctness of any return or making an estimate of the tax due for any taxpayer or person, the director or the director's designee has the power to examine any books, papers, records or memoranda bearing upon the matters required to be included in the return or report. The

secretary of revenue shall adopt rules and regulations for the administration of this act. For the purpose of enforcing this act the director may call to the director's aid any law enforcement officer of this state to prosecute all violators of any of the provisions of this act. The police of any city shall have the right to inspect all premises, records and invoices pertaining to the wholesale distribution, retail sale or sampling of cigarettes or tobacco products within the city at all reasonable times. All agents and representatives designated by the director are hereby invested with all the powers of peace and police officers within the state of Kansas in the enforcement of the provisions of this act throughout the state.

Sec. 16. K.S.A. 2016 Supp. 79-3333 is hereby amended to read as follows: 79-3333. (a) Each person engaged in the business of selling cigarettes, smokeless tobacco or roll-your-own tobacco to persons who reside in Kansas shall obtain a license as provided by the Kansas cigarette and tobacco products act.

(b) All cigarettes sold to persons who reside in Kansas shall have a valid Kansas cigarette tax stamp affixed to each package.

(c) All ~~retail cigarette~~ dealers, whether located in or outside the state of Kansas, shall have a registration certificate as provided in K.S.A. 79-3608, and amendments thereto, and be subject to the provisions of the Kansas retailers' sales tax act. Each ~~licensed retail cigarette dealer licensee or other person~~ selling cigarettes, smokeless tobacco or roll-your-own tobacco over the internet, telephone or other mail order transaction shall file all sales tax returns and remit taxes owed pursuant to K.S.A. 79-3607, and amendments thereto.

(d) All sales transactions over the internet, telephone or other mail order transaction shall not be completed, unless, before each delivery of cigarettes, smokeless tobacco or roll-your-own tobacco is made, whether through the mail, through a transportation company or any other delivery system, the seller has obtained from the purchaser a certification that includes a reliable confirmation that the purchaser is at least the legal minimum age to purchase cigarettes, smokeless tobacco or roll-your-own tobacco; that the cigarettes or tobacco products purchased are not intended for consumption by an individual who is younger than the legal minimum age to purchase cigarettes, smokeless tobacco or roll-your-own tobacco; and a written statement signed by the purchaser that certifies the purchaser's address and that the purchaser is at least the minimum legal age to purchase cigarettes, smokeless tobacco or roll-your-own tobacco. Such statement shall also confirm: (1) That the purchaser understands that signing another person's name to such certification is illegal; (2) that the sale of cigarettes, smokeless tobacco or roll-your-own tobacco to individuals under the legal minimum purchase age is illegal; and (3) that the purchase of cigarettes, smokeless tobacco or roll-your-own tobacco by individuals under the legal minimum purchase age is illegal under the laws of Kansas.

(e) The retail cigarette dealer shall verify the information contained in the certification provided by the purchaser against a commercially available database of governmental records, or obtain a photocopy or other image of the valid, government-issued identification stating the date of birth or age of the purchaser.

(f) All invoices, bills of lading, sales receipts and any other document related to the sale of cigarettes, smokeless tobacco or roll-your-own tobacco through the internet or other mail order transaction shall contain the current, valid retailer Kansas cigarette, smokeless tobacco or roll-your-own tobacco dealer license number, Kansas sales tax

registration number, business name and address of the seller.

(g) All packages of cigarettes shipped from a cigarette dealer to purchasers who reside in Kansas shall clearly print the package with the word "CIGARETTES" on all sides of the package. In addition, such package shall contain an externally visible and easily legible notice located on the same side of the package as the address to which the package is delivered as follows:

"IF THESE CIGARETTES HAVE BEEN SHIPPED TO YOU FROM A SELLER LOCATED OUTSIDE OF THE STATE IN WHICH YOU RESIDE, THE SELLER HAS REPORTED PURSUANT TO FEDERAL LAW THE SALE OF THESE CIGARETTES TO YOUR STATE TAX COLLECTION AGENCY, INCLUDING YOUR NAME AND ADDRESS. YOU ARE LEGALLY RESPONSIBLE FOR ALL APPLICABLE UNPAID STATE TAXES ON THESE CIGARETTES."

~~(h) The provisions of this section shall not apply to tobacco products, as defined in K.S.A. 79-3301, and amendments thereto.~~ (1) Each retail dealer that sells cigarettes to Kansas consumers without indicia of Kansas tax shall file an annual statement for each consumer to the department of revenue on such forms as are provided or approved by the department to the director for all Kansas consumers by March 1 of each year showing such information as the Kansas department of revenue shall require by rules and regulations, including the: (A) Name and address of such Kansas consumer; (B) the date of purchase; and (C) the total number of packs of cigarettes purchased by such Kansas consumer made from the retail dealer in the previous calendar year.

(2) The director may require any retail dealer that sells cigarettes to Kansas consumers without indicia of Kansas tax of more than \$100,000 in a calendar year to file the annual statement described in paragraph (1) by electronic format, including magnetic media or another machine-readable form for that year.

(3) Failure to file the annual statement required in paragraph (1) shall subject the retailer dealer to a penalty of \$10 for each consumer that should have been included in such annual statement, unless the retailer shows reasonable cause for such failure.

(i) Except as otherwise provided by this act, a violation of subsection (a), (d), (e) or (h) is a:

(1) Class A misdemeanor for a first violation, and the offender shall be fined not less than \$1,000 nor more than \$2,500 upon a first conviction;

(2) severity level 6, nonperson felony for a second violation, and the offender shall be fined not less than \$50,000 nor more than \$100,000 upon a second conviction; and

(3) severity level 6, nonperson felony for a third and all subsequent violations, and the offender shall be fined \$100,000 upon a third and all subsequent convictions.

~~(j) Violation of the provisions of subsection (a), (d) or (e) is a severity level 8, nonperson felony. Each separate violation of any provision of this section, other than the provisions of subsection (a), (d) or (e) is or (h) shall be a class B misdemeanor, and upon conviction shall be punishable by a fine of not the offender shall be fined not less than \$500 nor more than \$1,000 or imprisonment for not more than one year, or both.~~

(k) The secretary of revenue or the secretary's authorized agent may refer such evidence as may be available concerning violations of this act or any rules and regulations or order hereunder to the attorney general or the proper county or district attorney, who may, in the prosecutor's discretion, with or without such a reference, institute the appropriate criminal proceedings under this act. Upon receipt of such reference, the attorney general or the county attorney or district attorney may request

that a duly employed attorney of the department of revenue prosecute or assist in the prosecution of such violation or violations on behalf of the state. Upon approval of the secretary or the secretary's authorized agent, such employee shall be appointed as a special prosecutor for the attorney general or the county attorney or district attorney to serve without compensation from the attorney general or the county attorney or district attorney. Such special prosecutor shall have all the powers and duties prescribed by law for assistant attorneys general or assistant county or district attorneys and such other powers and duties as are lawfully delegated to such special prosecutor by the attorney general or the county attorney or district attorney. If an attorney employed by the secretary or secretary's authorized agent acts as a special prosecutor, the secretary may pay extradition and witness expenses associated with the case.

(1) The provisions of this section shall be part of and supplemental to the Kansas cigarette and tobacco products act.

Sec. 17. K.S.A. 2016 Supp. 79-3335 is hereby amended to read as follows: 79-3335. (a) Counterfeit cigarettes shall be seized by the director. For purposes of this section, counterfeit cigarettes includes cigarettes manufactured, sold, transported, imported, distributed or possessed in this state with intent to deceive consumers and to avoid the provisions of this act, and also includes cigarettes that have false manufacturing labels or packages of cigarettes bearing counterfeit tax stamps. It shall be unlawful for any person to sell, transport, import, distribute, possess, wholesale or manufacture counterfeit cigarettes.

(b) Except as otherwise provided by this act, a violation of the provisions of this section shall be a:

(1) Class A misdemeanor for a first violation, and the offender shall be fined not less than \$1,000 nor more than \$2,500 upon a first conviction;

(2) severity level 6, nonperson felony for a second violation, and the offender shall be fined not less than \$50,000 nor more than \$100,000 upon a second conviction; and

(3) severity level 6, nonperson felony for a third and all subsequent violations, and the offender shall be fined \$100,000 upon a third and all subsequent convictions.

(c) The secretary of revenue, or the secretary's authorized agent, may refer such evidence as may be available concerning violations of this act or any rules and regulations or order hereunder to the attorney general or the proper county or district attorney, who may in the prosecutor's discretion, with or without such a reference, institute the appropriate criminal proceedings under this act. Upon receipt of such reference, the attorney general or the county attorney or district attorney may request that a duly employed attorney of the department of revenue prosecute or assist in the prosecution of such violation or violations on behalf of the state. Upon approval of the secretary or the secretary's authorized agent, such employee shall be appointed as a special prosecutor for the attorney general or the county attorney or district attorney to serve without compensation from the attorney general or the county attorney or district attorney. Such special prosecutor shall have all the powers and duties prescribed by law for assistant attorneys general or assistant county or district attorneys and such other powers and duties as are lawfully delegated to such special prosecutor by the attorney general or the county attorney or district attorney. If an attorney employed by the secretary or secretary's authorized agent acts as a special prosecutor, the secretary may pay extradition and witness expenses associated with the case.

(d) The provisions of this section shall be part of and supplemental to the Kansas

cigarette and tobacco products act.

Sec. 18. K.S.A. 79-3378 is hereby amended to read as follows: 79-3378. (a) On or before the ~~twentieth~~ 20th day of each calendar month every distributor with a place of business in this state shall file a return with the director showing the quantity and wholesale sales price of each tobacco product; (1) Brought, or caused to be brought, into this state for sale; and (2) made, manufactured, or fabricated in this state for sale in this state during the preceding calendar month. Every licensed distributor outside this state shall in like manner file a return showing the quantity and wholesale sales price of each tobacco product shipped or transported to retailers in this state to be sold by those retailers, during the preceding calendar month. Returns shall be made ~~upon forms furnished and electronically in the manner~~ prescribed by the director. Each return shall be accompanied by a remittance for the full tax liability shown therein, less ~~four percent~~ (4%) of such liability as compensation to reimburse the distributor for ~~his or her such distributor's~~ expenses incurred in the administration of this act.

(b) ~~As soon as practicable after any return is filed, the director shall examine the return. If the director finds that, in his or her the director's judgment, the return is incorrect and any amount of tax is due from the distributor and unpaid, he or she the director shall notify the distributor of the deficiency. If a deficiency disclosed by the director's examination cannot be allocated by him the director to a particular month or months, he or she the director may nevertheless notify the distributor that a deficiency exists and state the amount of tax due. Such notice shall be given to the distributor by registered or certified mail.~~

Sec. 19. K.S.A. 2016 Supp. 79-3387 is hereby amended to read as follows: 79-3387. (a) All revenue collected or received by the director from taxes imposed by this act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(b) All moneys received from license fees, forfeiture proceeds under K.S.A. 79-3324a, and amendments thereto, and fines imposed by this act shall be collected by the director and shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the cigarette and tobacco products regulation fund created by K.S.A. 79-3391, and amendments thereto, and such proceeds shall be used exclusively for cigarette and tobacco products regulation and enforcement, and not for any other purpose.

Sec. 20. K.S.A. 2016 Supp. 79-3391 is hereby amended to read as follows: 79-3391. (a) In addition to or in lieu of any other civil or criminal penalty provided by law, the secretary of revenue or the secretary's designee, upon a finding that a ~~licensee person~~ person under this act has violated any provision of this act or any provision of any rule and regulation of the secretary of revenue adopted pursuant to this act shall impose on such ~~licensee person~~ person a civil fine not exceeding \$1,000 for each violation.

(b) It shall be unlawful for any person, directly or indirectly, to: (1) Sell, give or furnish any cigarettes or tobacco products to any person under 18 years of age; or (2) buy any cigarettes or tobacco products for any person under 18 years of age. In determining the fine to be imposed under this subsection by a licensed retail dealer whose employee sold, furnished or distributed the cigarettes or tobacco products, the

secretary of revenue or the secretary's designee shall consider it to be a mitigating circumstance if the employee had completed a training program, approved by the secretary of revenue or the secretary's designee, in avoiding sale, furnishing or distributing of cigarettes and tobacco products to persons under 18 years of age.

(c) No fine shall be imposed pursuant to this section except upon the written order of the secretary of revenue or the secretary's designee to the licensee who committed the violation. Such order shall state the violation, the fine to be imposed and the right of the licensee to appeal the order. Such order shall be subject to appeal and review in the manner provided by the Kansas administrative procedure act.

(d) Any fine collected pursuant to this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the cigarette and tobacco products regulation fund.

(e) There is hereby created, in the state treasury, the cigarette and tobacco products regulation fund. Moneys in the fund shall be expended only for the enforcement of this act and rules and regulations adopted pursuant to this act. Such expenditures shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of revenue or a person designated by the secretary.

(f) If a person violates subsection (b) for a second or subsequent occurrence within a three-year period, the secretary may impose a graduated fine upon such person for the second or subsequent occurrence. For the purposes of imposing a fine under this section, if three or more years have elapsed since a person has been found to have violated the provisions of subsection (b), such person shall be treated as never having violated subsection (b).

Sec. 21. K.S.A. 2016 Supp. 79-3392 is hereby amended to read as follows: 79-3392. The provisions of K.S.A. 75-5133, 79-3610, 79-3611, 79-3612, 79-3613, 79-3615 and 79-3617, and amendments thereto, relating to the assessment, collection, appeal and administration of the retailers' sales tax, insofar as practical, shall have full force and effect with respect to taxes, penalties and fines imposed by this act.

Sec. 22. K.S.A. 2016 Supp. 79-3393 is hereby amended to read as follows: 79-3393. (a) When a person is stopped by a law enforcement officer for a cigarette or tobacco infraction, the law enforcement officer shall prepare and deliver to the person a written cigarette or tobacco citation on a form approved by the secretary of revenue or the secretary's designee. The citation shall contain a notice to appear in court, the name and address of the person, the offense or offenses charged, the time and place when and where the person shall appear in court, the signature of the law enforcement officer and any other pertinent information. The time specified in the notice to appear shall be at least five days after the alleged infraction unless the person charged with the infraction demands an earlier hearing. The place specified in the notice to appear shall be before a judge of the district court within the county where the infraction is alleged to have been committed or before a judge of the municipal court where the infraction is alleged to have been committed in a city which has adopted an ordinance which prohibits the same acts.

(b) The notice to appear may provide that the person charged with the infraction shall appear in court with a parent or legal guardian and shall provide that the person charged has a right to trial.

(c) Acts classified as cigarette or tobacco infractions by ~~subsection (e) of~~ K.S.A. 79-3322(d), and amendments thereto, shall be classified as ordinance cigarette or tobacco infractions by those cities adopting ordinances prohibiting the same acts. The fine for an ordinance cigarette or tobacco infraction shall be \$25.

Sec. 23. K.S.A. 2016 Supp. 50-6a07 is hereby amended to read as follows: 50-6a07. As used in this act:

(a) "Act" means the provisions of K.S.A. 50-6a01 through 50-6a06, and amendments thereto, and the provisions of K.S.A. 2016 Supp. 50-6a07 through 50-6a21, and amendments thereto.

(b) "Brand family" means all styles of cigarettes sold under the same trademark and differentiated from one another by means of additional modifiers or descriptors, including, but not limited to, "menthol," "lights," "kings," and "100s," and includes any brand name (alone or in conjunction with any other word), trademark, logo, symbol, motto, selling message, recognizable pattern of colors or any other indicia of product identification identical, similar to or identifiable with a previously known brand of cigarettes.

(c) "Cigarette" has the same meaning given that term in K.S.A. 50-6a02(d), and amendments thereto.

(d) "Director" means the director of taxation.

(e) "Indian tribe" means any Indian tribe, band, nation or other organized group or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under the laws of the United States.

(f) "Master settlement agreement" has the same meaning given that term in K.S.A. 50-6a02(e), and amendments thereto.

(g) "Non-participating manufacturer" means any tobacco product manufacturer that is not a participating manufacturer.

(h) "Participating manufacturer" has the meaning given that term in K.S.A. 50-6a02(i)(1), and amendments thereto.

(i) "Qualified escrow fund" has the same meaning given that term in K.S.A. 50-6a02(f), and amendments thereto.

(j) "Resident agent" means a domestic corporation, a domestic limited partnership, a domestic limited liability company or a domestic business trust or a foreign corporation, a foreign limited partnership, a foreign limited liability company or a foreign business trust authorized to transact business in this state, and which is generally open during regular business hours to accept service of process on behalf of a non-participating manufacturer.

(k) "Retail dealer" has the same meaning given that term in K.S.A. 79-3301(¶), and amendments thereto.

(l) "Stamping agent" means a person who is authorized to affix tax indicia to packages of cigarettes pursuant to K.S.A. 79-3311, and amendments thereto, or any person who is required to pay the tax on the privilege of selling or dealing in roll-your-own tobacco products pursuant to K.S.A. 79-3371, and amendments thereto.

(m) "Tax indicia" has the same meaning given that term in K.S.A. 79-3301(¶), and amendments thereto.

(n) "Tobacco product manufacturer" has the same meaning given that term in K.S.A. 50-6a02(i), and amendments thereto.

(o) "Qualified tribal land" means:

(1) All land within the borders of this state that is within the limits of any Indian reservation under the jurisdiction of the United States, notwithstanding the issuance of any patent, including rights-of-way running through the reservation;

(2) all dependent Indian communities within the borders of this state;

(3) all Indian allotments within the borders of this state, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments; and

(4) any lands within the borders of this state, the title to which is either held in trust by the United States for the benefit of any Indian tribe or individual, or held by any Indian tribe or individual subject to restriction by the United States against alienation, and over which an Indian tribe exercises governmental power.

(p) "Units sold" has the same meaning given that term in K.S.A. 50-6a02(j), and amendments thereto.

(q) "Vending machine operator" has the same meaning given that term in K.S.A. 79-3301(y), and amendments thereto.

New Sec. 24. (a) No provisions of this act shall: (1) Be deemed to amend or modify any compact described in K.S.A. 79-3323(a), and amendments thereto; or (2) be enforced in a manner which would cause the state to breach the terms of any compact described in K.S.A. 79-3323(a), and amendments thereto.

(b) The provisions of this section shall be part of and supplemental to the Kansas cigarette and tobacco products act.

Sec. 25. K.S.A. 2016 Supp. 79-3399 is hereby amended to read as follows: 79-3399. (a) On and after ~~January~~ July 1, 2017, a tax is hereby imposed upon the privilege of selling or dealing in electronic cigarettes in this state by any person engaged in business as a distributor thereof, at the rate of ~~\$.20~~ \$.05 per milliliter of consumable material for electronic cigarettes and a proportionate tax at the like rate on all fractional parts thereof. For electronic cigarettes in the possession of retail dealers for which tax has not been paid, tax shall be imposed under this subsection at the earliest time the retail dealer: (1) Brings or causes to be brought into this state from without the state electronic cigarettes for sale; (2) makes, manufactures or fabricates electronic cigarettes in this state for sale in this state; or (3) sells electronic cigarettes to consumers within this state.

(b) "Consumable material" means any liquid solution or other material that is depleted as an electronic cigarette is used.

(c) The secretary of revenue shall adopt rules and regulations to implement the provisions of this section.

Sec. 26. K.S.A. 79-3304, 79-3309, 79-3323, 79-3324a, 79-3326 and 79-3378 and K.S.A. 2016 Supp. 50-6a07, 79-3301, 79-3302, 79-3303, 79-3311, 79-3312, 79-3316, 79-3321, 79-3322, 79-3333, 79-3335, 79-3387, 79-3391, 79-3392, 79-3393 and 79-3399 are hereby repealed.;

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 through 6; in line 7, by striking all before the period and inserting "the Kansas cigarettes and tobacco products act; relating to definitions, licenses and permits, suspension or revocation of licenses, stamps, records required of dealers, unlawful acts, penalties, sale of cigarettes, application of certain laws to taxes, remittance of taxes, escrow deposits,

taxation of electronic cigarettes; amending K.S.A. 79-3304, 79-3309, 79-3323, 79-3324a, 79-3326 and 79-3378 and K.S.A. 2016 Supp. 50-6a07, 79-3301, 79-3302, 79-3303, 79-3311, 79-3312, 79-3316, 79-3321, 79-3322, 79-3333, 79-3335, 79-3387, 79-3391, 79-3392, 79-3393 and 79-3399 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
DAN KERSCHEN
TOM HOLLAND

Conferees on part of Senate

STEVEN C. JOHNSON
TOM PHILLIPS
TOM SAWYER

Conferees on part of House

On motion of Rep. Phillips, the conference committee report on **Sub HB 2230** was adopted.

On roll call, the vote was: Yeas 116; Nays 0; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Arnberger, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burris, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, R. Powell, Proehl, Rafie, Rahjes, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: None.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Garber, Jacobs, Kessinger, Mason, Ralph, Thimesch, Wilson.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2313** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 2, following line 21, by inserting:

"(h) (1) "Instant bingo vending machine" means a machine or electronic device owned or leased by the Kansas lottery in fulfillment of the Kansas lottery's obligations under an agreement between the Kansas lottery and a licensee entered into pursuant to

section 8, and amendments thereto, the sole purpose of which is to:

(A) Dispense a printed physical instant bingo ticket after a purchaser inserts cash or other form of consideration into the machine; and

(B) allow purchasers to manually check the winning status of the instant bingo ticket.

(2) "Instant bingo vending machine" shall not:

(A) Provide a visual or audio representation of a bingo card or an electronic gaming machine;

(B) visually or functionally have the same characteristics of an electronic instant bingo game or an electronic gaming machine;

(C) automatically determine or display the winning status of any dispensed instant bingo ticket;

(D) extend or arrange credit for the purchase of an instant bingo ticket;

(E) dispense any winnings;

(F) dispense any prize;

(G) dispense any evidence of a prize other than an instant bingo ticket;

(H) provide free instant bingo tickets or any other item that can be redeemed for cash; or

(I) dispense any other form of a prize to a purchaser.";

On page 3, in line 39, by striking "or"; in line 40, after "machine" by inserting "; or

(G) any instant bingo vending machine";

On page 4, following line 28, by inserting:

"No more than two lottery ticket vending machines may be located at each Kansas lottery retailer selling location.";

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

On page 9, in line 5, by striking all after "(k)"; by striking all in line 6; in line 7, by striking all before the period and inserting ""Facility owner licensee" shall have the same meaning as the term is defined in K.S.A. 74-8802, and amendments thereto.

(l) "Racetrack gaming facility manager" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto.

(m) "Lottery gaming facility manager" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto.

(n) "Prize" shall have the same meaning as that term is defined in K.S.A. 74-8702, and amendments thereto, and any winnings from parimutuel wagering as provided by the Kansas parimutuel racing act, K.S.A. 74-8801 et seq., and amendments thereto";

Also on page 9, by striking all in lines 8 through 35; in line 40, by striking all after "director"; in line 41, by striking all before "may";

On page 10, in line 1, by striking all after "or"; in line 2, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 10, by striking all after "a"; in line 11, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 14, by striking all before "with" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 16, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 18, after "debts" by inserting "by a lottery gaming facility manager, racetrack gaming facility manager or

facility owner licensee"; in line 29, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 31, by striking "third party vendor, as agent of the state," and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 35, by striking "third party"; in line 36, by striking "vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 38, by striking "third party vendor is acting strictly as agent for the state and" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 41, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee"; in line 42, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee";

On page 11, in line 3, by striking "third party vendor" and inserting "lottery gaming facility manager, racetrack gaming facility manager or facility owner licensee";

On page 12, in line 6, after "(5)" by inserting "transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);

(6)";

Also on page 12, in line 7, after the stricken material by inserting "and"; in line 8, by striking the semicolon; by striking all in lines 9 through 11; in line 12, by striking all before the period; in line 20, by striking "(c)(4)" and inserting "(c)(5)"; in line 27, by striking all after "(2)"; by striking all in lines 28 through 43;

On page 13, in line 1, by striking all before the period and inserting "during fiscal year 2018 through fiscal year 2022, on or before the 10th day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services";

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

Also on page 13, following line 27, by inserting:

"New Sec. 8. (a) The executive director of the Kansas lottery is authorized to enter into agreements with any nonprofit organization licensed under K.S.A. 2016 Supp. 75-5171 et seq., and amendments thereto, for the operation of instant bingo vending machines, as defined in K.S.A. 74-8702, and amendments thereto, to be located on the premises of such nonprofit organization, provided, that not more than two instant bingo vending machines may be located on the premises of such nonprofit organization. Such agreements shall provide for the remittance of the gross receipts from the sale of instant bingo tickets via any instant bingo vending machine to the nonprofit organization.

(b) All sales of instant bingo tickets via an instant bingo vending machine operated pursuant to an agreement shall be considered sales by the nonprofit organization, and all proceeds from such sales shall be remitted to the nonprofit organization.

Sec. 9. K.S.A. 2016 Supp. 74-8723 is hereby amended to read as follows: 74-8723.

(a) The Kansas lottery and the office of executive director of the Kansas lottery,

established by K.S.A. 74-8703, and amendments thereto, and the Kansas lottery commission, created by K.S.A. 74-8709, and amendments thereto, shall be and hereby are abolished on July 1, ~~2022~~ 2037.

(b) This section shall be part of and supplemental to the Kansas lottery act.

Sec. 10. K.S.A. 2016 Supp. 75-5173 is hereby amended to read as follows: 75-5173. As used in this act:

(a) "Act" means the Kansas charitable gaming act.

(b) "Administrator" means the administrator of charitable gaming designated by the secretary pursuant to K.S.A. 2016 Supp. 75-5186, and amendments thereto.

(c) "Bingo" or "games of bingo" means the games of call bingo and instant bingo.

(d) "Bingo face" or "face" means a piece of paper which is marked off into 25 squares arranged in five horizontal rows of five squares each and five vertical rows of five squares each, with each square being designated by a number, letter or combination of numbers and letters. Only the center square shall be designated with the word "free." No two bingo faces in the same game shall be identical. Faces shall be disposable and shall not be reused after the game in which a player has used such face.

(e) "Call bingo" means a game in which: (1) Each player pays a charge; (2) a prize or prizes are awarded to the winner or winners; (3) each player receives one or more cards or faces; and (4) each player covers the squares on each card or face as the operator of such game announces a number, letter or combination of numbers and letters appearing on an object selected by chance, either manually or mechanically from a receptacle in which have been placed objects bearing numbers, letters or combinations of numbers and letters corresponding to the system used for designating the squares. The winner of each game is the player or players first covering properly a predetermined and announced pattern of squares upon the card or face being used by such player or players.

"Call bingo" shall include any regular, special, mini and progressive game of bingo.

(f) "Charitable gaming" means bingo, including call bingo, and instant bingo and charitable raffles.

(g) "Charitable raffle" means a raffle conducted by a nonprofit religious, charitable, fraternal, educational or veterans' organization.

(h) "Department" means the department of revenue.

(i) "Director" means the director of taxation.

(j) "Distributor" means any person or entity that sells or distributes instant bingo tickets, bingo cards or bingo faces.

(k) "Electronic gaming device" means a device that, as a result of the insertion of a coin or other object, operates, either completely automatically or with the aid of some physical act by the player, in such a manner that, depending upon elements of chance, it may eject something of value.

(l) "Instant bingo" means a game: (1) In which each player pays a charge; (2) in which a prize or prizes are awarded to the winner or winners; (3) in which each player receives one or more disposable pull-tab or break-open tickets which accord a player an opportunity to win something of value by opening or detaching the paper covering from the back of the ticket to reveal a set of numbers, letters, symbols or configurations, or any combination thereof; (4) ~~which that~~ is conducted by a licensee under this act; (5) ~~the conduct of which must be in the presence of the players that may be dispensed by an instant bingo vending machine;~~ and (6) ~~which that~~ does not utilize any dice, normal

playing cards, instant ticket with a removable latex covering or slot machines.

Winners of instant bingo shall be determined either: (1) By a combination of letters, numbers or symbols determined and posted prior to the sale of instant bingo tickets; (2) by matching a letter, number or symbol under a tab of an instant bingo ticket with the winning letter, number or symbol in a designated call game of bingo during the same session; or (3) by matching a letter, number or symbol under a tab of an instant bingo ticket with one or more letters, numbers or symbols announced in, or as a continuation of, a designated call game of bingo during the same session.

~~"Instant bingo" shall not include any game utilizing electronically generated or computer-generated tickets.~~

(m) "Instant bingo vending machine" means the same as that term is defined in K.S.A. 74-8702, and amendments thereto.

~~(n)~~(n) "Lessor" means the owner, co-owner, lessor or sublessor of premises upon which a licensee is permitted to manage, operate or conduct games of bingo.

~~(o)~~(o) "Licensee" means any nonprofit organization holding a license to manage, operate or conduct games of bingo or charitable raffles pursuant to K.S.A. 2016 Supp. 75-5171 through 75-5188, and amendments thereto. A license shall be required for each affiliated organization of any state or national nonprofit religious, charitable, fraternal, educational or veteran's organization.

~~(p)~~(p) "Mini bingo" means a game of call bingo in which the prizes awarded are not less than 50% of the gross receipts derived from the sale of cards or faces for participation in the game.

~~(q)~~(q) "Net proceeds" means the gross receipts received by the licensee from charges imposed on players for participation in games of bingo or raffles and any admission fees or charges less amounts actually paid as prizes in games of bingo or raffles and any tax payable by the licensee.

~~(r)~~(r) "Nonprofit religious organization" means any organization, church, body of communicants, or group, gathered in common membership for mutual support and edification in piety, worship, and religious observances, or a society of individuals united for religious purposes at a definite place and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and which religious organization maintains an established place of worship within this state and has a regular schedule of services or meetings at least on a weekly basis and has been determined by the administrator to be organized and created as a bona fide religious organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) or section 501(d) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit religious organization by the administrator.

~~(s)~~(s) "Nonprofit charitable organization" means any organization which is organized and operated for:

(1) The relief of poverty, distress, or other condition of public concern within this state;

(2) financially supporting the activities of a charitable organization as defined in paragraph (1); or

(3) conferring direct benefits on the community at large; and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization and has been determined by the administrator to be organized and

operated as a bona fide charitable organization and which has been exempted from the payment of federal income taxes as provided by sections 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(6) and 501(c)(7) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit charitable organization by the administrator.

~~(s)~~(t) "Nonprofit fraternal organization" means any organization within this state which exists for the common benefit, brotherhood, or other interests of its members and is authorized by its written constitution, charter, articles of incorporation or bylaws to engage in a fraternal, civic or service purpose within this state and has been determined by the administrator to be organized and operated as a bona fide fraternal organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(8) or section 501(c)(10) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit fraternal organization by the administrator.

~~(t)~~(u) "Nonprofit educational organization" means any public or private elementary or secondary school or institution of higher education which has been determined by the administrator to be organized and operated as a bona fide educational organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(3) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit educational organization by the administrator.

~~(u)~~(v) "Nonprofit veterans' organization" means any organization within this state or any branch, lodge or chapter of a national or state organization within this state, the membership of which consists exclusively of individuals who qualify for membership because they were or are members of the armed services or forces of the United States, or an auxiliary unit or society of such a nonprofit veterans' organization, the membership of which consists exclusively of individuals who were or are members of the armed services or forces of the United States, or are cadets, or are spouses, widows or widowers of individuals who were or are members of the armed services or forces of the United States, and of which no part of the net earnings inures to the benefit of any private shareholder or individual member of such organization, and has been determined by the administrator to be organized and operated as a bona fide veterans' organization and which has been exempted from the payment of federal income taxes as provided by section 501(c)(4) or 501(c)(19) of the federal internal revenue code of 1986, as amended, or determined to be organized and operated as a bona fide nonprofit veterans' organization by the administrator.

~~(v)~~(w) "Person" means any natural person, corporation, partnership, trust or association.

~~(w)~~(x) "Premises" means any room, hall, building, enclosure or outdoor area used for the management, operation or conduct of a game of bingo by a licensee.

~~(x)~~(y) "Progressive bingo" means a game of call bingo in which either the established prize amount or number of bingo balls or objects called, or both, may be increased from one session to the next scheduled session if no player completes the required pattern within the specified number of bingo balls or objects drawn. The player's opportunity to win shall increase as the prize amount increases.

~~(y)~~(z) "Raffle" means a game of chance in which each participant buys a ticket or tickets from a nonprofit organization with each ticket providing an equal chance to win

a prize and the winner being determined by a random drawing.

~~(z)~~(aa) "Reusable bingo card" means a reusable card which is marked off into 25 squares arranged in five horizontal rows of five squares each and five vertical rows of five squares each, with each square being designated by a number, letter or combination of numbers and letters. Only the center square shall be designated with the word "free." No two cards in the same game shall be identical.

(aa)(bb) "Secretary" means the secretary of revenue or the secretary's designee.

(bb)(cc) "Session" means a day on which a licensee conducts games of bingo.";

Also on page 13, in line 28, by striking "and 75-6203"; in line 29, after "74-8723" by inserting "75-5173,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the Kansas lottery" and inserting "gaming"; in line 2, by striking all after the semicolon; in line 3, by striking "sunset;" and inserting "dealing with instant bingo vending machines; concerning certain"; also in line 3, by striking "with third party vendors"; in line 4, by striking "and 75-6203"; also in line 4, following the comma, by inserting "74-8723, 75-5173,"; in line 6, by striking "; also repealing "K.S. A. 2016 Supp. 74-8723"

And your committee on conference recommends the adoption of this report.

BUD ESTES
 ROB OLSON
 OLETHA FAUST-GOUDEAU
Conferees on part of Senate

RONALD L. HIGHLAND
 KRISTEY WILLIAMS
 LOUIS E. RUIZ
Conferees on part of House

On motion of Rep. Highland, the conference committee report on **HB 2313** was adopted.

On roll call, the vote was: Yeas 98; Nays 19; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Alford, Amberger, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Koesten, Kuether, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Winn, Wolfe Moore.

Nays: Awerkamp, Blex, Burris, Carmichael, B. Carpenter, Ellis, Esau, Helgerson, Hoffman, Houser, Huebert, K. Jones, Lakin, Ousley, R. Powell, Schroeder, Vickrey, Ward, Whitmer.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Jacobs, Kessinger, Mason, Ralph, Thimesch, Wilson.

On motion of Rep. Hineman, the House recessed until 7:30 p.m.

EVENING SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE SENATE

Announcing the Senate herewith transmits the veto message from the Governor, together with the enrolled copy of **SB 30**, AN ACT concerning taxation; relating to sales and compensating use tax, collection and distribution thereof, STAR bonds; income taxation, determination of Kansas adjusted gross income, modifications, rates, itemized deductions and credits; amending K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269, which was received and read on June 6, 2017.

Message from the Governor

I appreciate the efforts of members during this intense lawmaking process. We have worked hard in Kansas to move our tax policy toward a pro-growth orientation. Unfortunately, Senate Bill 30 takes us backward in that effort. We can and we must balance our budget without negatively harming Kansas families.

Accordingly, pursuant to Article 2, Section 14 (a) of the Constitution of the State of Kansas, I hereby veto Senate Bill 30.

Dated: June 6, 2017

Signed, Sam Brownback, Governor of Kansas

A motion was made that **SB 30** be passed notwithstanding the Governor's veto. By vote of 27 Yeas and 13 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

CONSIDERATION OF VETO

On motion of Rep. Johnson, the House proceeded to reconsider **SB 30**, AN ACT concerning taxation; relating to sales and compensating use tax, collection and distribution thereof, STAR bonds; income taxation, determination of Kansas adjusted gross income, modifications, rates, itemized deductions and credits; amending K.S.A. 2016 Supp. 12-17,165, 12-17,179, 79-32,110, 79-32,117, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2016 Supp. 79-32,269.

The Governor's objection to **SB 30** having been read, the question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 88; Nays 31; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcalá, Alford, Aurand, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E.

Davis, Deere, Dierks, Dietrich, Elliott, Eplee, Finch, Finney, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Ralph, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Sloan, Smith, A., Stogsdill, S. Swanson, Tarwater, Terrell, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, Wilson, Winn, Wolfe Moore.

Nays: Arnberger, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Delperdang, Dove, Ellis, Esau, Garber, Henderson, Highland, Hoffman, Houser, Huebert, Humphries, K. Jones, Landwehr, Osterman, R. Powell, Rahjes, Resman, Schwab, Smith, E., Sutton, Vickrey, Weber, C., Whitmer, K. Williams.

Present but not voting: Seiwert.

Absent or not voting: Barker, Francis, Jacobs, Mason, Thimesch.

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

EXPLANATIONS OF VOTE

MR. SPEAKER: I am voting yes to override the Governor's veto on **SB 30**. I vote to override with reluctance. This is the first time in my life that I've watched negotiations go upward. Usually, you negotiate down. That said, it would have been much easier for me to vote for **SB 30** had it contained a full-fledged repeal of the Governor's tax cuts.

However, the Governor has done my community no favors. With the reality being what it is, I choose to do what will most benefit Kansans – and that is to support this override. – STAN FROWN FELTER

MR. SPEAKER: I voted present on **SB 30** because I support funding government – and jobs for my district including Wichita and rural Kansas. However, they were not a part of this bill, therefore I could neither support it or vote against it, or the largest tax increase in states' history. – JOE SEIWERT

MR. SPEAKER: I vote yes to override the veto on **SB 30**. 109 days ago we came together to formulate a plan that would get our state back on solid financial footing. We all came with different goals: some with reversing the Governor's plan altogether, putting businesses back on tax rolls or shielding all Kansans from tax hikes. We've worked in good faith to find the middle ground. However, it became clear that finding middle ground on a plan the governor would sign was out of reach. This isn't the plan I supported, but it's the plan that the majority of this House supported. It's time to provide certainty for Kansas. – RON RYCKMAN

On motion of Rep. Hineman, the House adjourned until 4:00 p.m., Wednesday, June 7, 2017.

Journal of the House

EIGHTY-FIFTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Wednesday, June 7, 2017, 4:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 115 members present.

Reps. Deere and Terrell were excused on verified illness.

Rep. Cox was excused on legislative business.

Reps. Aurand, Awerkamp, Barker, Campbell, Claeys, Pittman and Thompson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Father God,
Thank You again for another day
with which You have blessed us.
I never know when I walk into this Chamber what to expect.
It reminds me of the quote of my favorite philosopher:
“my mama always told me life was like a box of chocolates;
you never know what you’re gonna get.”
I think he is also the one who said,
“stupid is as stupid does.”
Anyway, here we are, having accomplished two major bills.
But there is still one huge bill before our leaders
that has to be dealt with – the budget.
Some may be saying,
“Houston, we have a problem;”
while others may be thinking,
“show me the money;”
There could even be the idea of
“I’m gonna make him an offer he can’t refuse.”
I just pray that we don’t get to the point where
“what we’ve got here is a failure to communicate.”
All I can say is,
“fasten your seatbelts, its gonna be a bumpy ride.”
Not like it hasn’t been already.
My prayer is that You will guide our leaders in this task,
and guide them to a solution.
“After all, tomorrow is another day.”

Remind each of our leaders that
 “you is kind, you is smart, and you is important.”
 And when it is all said and done, we can all agree that
 “there is no place like home.”
 Lord, You have heard my prayer,
 respond to it as You will.
 In Christ’s Name, Amen.

The Pledge of Allegiance was led by Rep. Trimmer.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:
 Taxation: **Sub SB 198**.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2407**.
 The Senate adopts the Conference Committee report on **HB 2409**.

CHANGE OF CONFEREES

Speaker pro tem Schwab announced the appointment of Reps. Johnson, Phillips, and Sawyer to replace Reps. Kelly, Powell, and Trimmer as members of the conference committee on **HB 2111**.

REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **SB 109**, as amended by Senate Committee, be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 109," as follows:

"House Substitute for SENATE BILL NO. 109
 By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 75-6706, as amended by section 47 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections.";

And the substitute bill be passed.
(H Sub for SB 109 was thereupon introduced and read by title.)

On motion of Rep. Hineman, the House recessed until 4:30 p.m.

LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE GOVERNOR

Sub HB 2277 approved on June 7, 2017.

CONFERENCE COMMITTEE REPORTS

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2407** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments as follows:

On page 2, following line 25, by inserting:

"(e) No conservation easement, as defined in K.S.A. 58-3810, and amendments thereto, shall be created for any of the tracts of land described in this section without prior specific authorization in an act of the legislature."

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

RICK BILLINGER

LAURA KELLY

Conferees on part of Senate

BILL SUTTON

CHUCK WEBER

TOM BURROUGHS

Conferees on part of House

On motion of Rep. Sutton to adopt the conference committee report to **HB 2407**, Rep. Corbet offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed. The motion prevailed.

Speaker pro tem Schwab thereupon appointed Reps. Sutton, Weber and Burroughs as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2409** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, in line 32, by striking all after "practicable"; in line 33, by striking all before the period;

And your committee on conference recommends the adoption of this report.

BUD ESTES
 RICHARD HILDERBRAND
 OLETHA FAUST-GOUDEAU
Conferees on part of Senate

BILL SUTTON
 CHUCK WEBER
 TOM BURROUGHS
Conferees on part of House

On motion of Rep. Sutton, the conference committee report on **HB 2409** was adopted.

On roll call, the vote was: Yeas 99; Nays 13; Present but not voting: 0; Absent or not voting: 13.

Yeas: Alford, Arnberger, Baker, Ballard, Blex, Brim, Burris, Burroughs, Carlin, B. Carpenter, Clark, Clayton, Concannon, Corbet, Crum, S., E. Davis, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Hibbard, Highland, Hineman, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Orr, Osterman, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Trimmer, Vickrey, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Winn, Wolfe Moore.

Nays: Alcala, Becker, Bishop, Carmichael, Curtis, Finney, Henderson, Highberger, Kuether, Ohaebosim, Ousley, Ruiz, Victors.

Present but not voting: None.

Absent or not voting: Aurand, Awerkamp, Barker, Campbell, Claeys, Cox, Deere, Hodge, Miller, Pittman, Terrell, Thompson, Wilson.

REPORT ON ENGROSSED BILLS

Sub HB 2230 reported correctly engrossed June 6, 2017.

HB 2313 reported correctly reengrossed June 6, 2017

On motion of Rep. Hineman, the House adjourned until 1:00 p.m., Thursday, June 8, 2017.

Journal of the House

EIGHTY-SIXTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, June 8, 2017, 1:00 p.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Reps. Aurand, Barker, Pittman and Sutton were excused on excused absence by the Speaker.

Present later: Rep. Pittman.

Due to the death of Rep. Terrell, District #102, the House is now organized with 124 members.

Prayer by Rep. Phelps:

Almighty God,
today as we go about our business,
and remember Representative Patsy Terrell,
her family and many friends,
help us to think on these things:
what is true, what is noble,
what is reputable, what is authentic,
what is compelling, what is gracious.
Help us to think the best, not the worst;
the beautiful, not the ugly.
Help us to think of things to praise,
not things to curse.
Whatever we have seen, received or heard
from You and Your Word,
help us to put into practice.
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Judd-Jenkins.

PERSONAL PRIVILEGE

The following remarks of Speaker Ryckman are spread upon the Journal:

Colleagues,

I want to make a few remarks about the heartbreaking loss of Representative Patsy Terrell. It is such a shock to see the reminder of her loss with her empty seat on the floor today.

It seems fitting to use her own words from her Facebook page, as she was a great communicator to her constituents, especially on social media. Her intro reads: I read, write, paint, think, create, repeat.

Representative Terrell was indeed full of creativity, extremely thoughtful, and had a bright personality.

She will be greatly missed by this legislative body, and the people of the 102nd District, and more importantly all of those around the state that have been inspired by her life.

We send our thoughts, prayers, and love to her family and friends during this difficult time.

PERSONAL PRIVILEGE

The following remarks of Rep. Ward are spread upon the Journal:

In Memoriam Representative Patsy Terrell.

Thank you, Mr. Speaker, for providing me an opportunity to say a few words about our friend and colleague, Patsy Terrell.

First, I want to thank Governor Brownback for lowering the flags to half-mast in honor of her.

I met Patsy Terrell approximately 16 months ago at a local Italian Restaurant in downtown Hutchinson. She wore a bright green dress and a large jade brooch. We were there to talk about, in her words, a crazy idea of her becoming a state representative. If you have ever recruited a candidate you know there is a moment when you know have gotten them. Well I “got” Patsy that day. While it wasn’t official until after several more calls, I knew she would run after that first meeting. How? I saw it in her eyes when we talked about helping the people in her district through constituent services, helping people work through state government to get solutions, and getting people answers from state agencies. When we ended the meeting, she leaned over and gave me a look that said, “don’t bullshit me because I’ll know it if you do it,” and then she asked, “Do you think I can do it?” I said I did. And on November 8, 2016, she did.

The last time I talked with Patsy was on Tuesday evening as I prepared to leave the restaurant where several of us had gathered after the income tax reform override vote. Patsy arrived and came over and gave me a big hug, saying how proud she was to have been a part of such an historic night. She said how happy she was to be a legislator and her eyes were bright with excitement and pride.

Patsy was a regular user of social media, but she also loved the written word. During the time I knew her, I, like several of you, received numerous handwritten notes from her. The last one I received just a couple of weeks ago, after the Representative from Johnson County had his heart attack. The note said being a legislator is stressful and being leader is stressful, so please be sure to take care of yourself. That was Patsy. Always thinking of others and nurturing them.

She had incredible timing. She would stop by my office with an encouraging word at exactly the right moment, usually following a difficult caucus meeting or vigorous debate.

She was kind and generous and strong. A member of my caucus pointed out a quote from Patsy's Facebook page I wanted to share with you. To a friend she had written, "Things work out in the end, if it hasn't worked out – it's not the end." Well it's not the end, Patsy. We will carry on with your passion as we are not done.

I smile today because I know what Patsy is doing. She is in heaven, likely talking with John Kennedy, Ronald Reagan and Margaret Thatcher and she is telling them about the last day of her life. She is telling them about the important, historic work she did on that last day. I'm sure she is bragging about the amazing women in her bipartisan group that had such a voice in the income tax reform bill. On several occasions, Patsy would stop by my office to share with me the brilliance of her colleagues in the women's group and how important their work was and the progress they were making. I can assure you Kennedy or Johnson are not getting a word in edgewise today.

To close, I want to read you a text Patsy sent me yesterday at 1:08 am. "I hope this doesn't wake you if your phone dings. I know you must feel so good. It feels so good to me. I am so glad I got to experience this – so very proud to be a tiny part of this moment." That will be my memory of Patsy – so proud to be a part of this moment.

Godspeed Patsy, you will be missed.

The members of the House observed a moment of silence in memory of Rep. Terrell.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2426, H Sub for SB 86**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, to suspend House Rule 3905, requiring the printing and distribution of appropriations bills 24 hours before consideration, the motion prevailed and the rule was suspended for the purpose of considering **H Sub for SB 109**.

On motion of Rep. Hineman, the House resolved into the Committee of the Whole, with Rep. Proehl in the chair.

COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2426** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 86** be adopted;

Also, on motion of Rep. Whitmer, **H Sub for SB 86** be amended on page 2, by striking all in lines 30 and 31; in line 32, by striking "(a)"; by striking all in lines 42 and 43;

On page 4, by striking all in lines 8 and 9; in line 10, by striking "On and after July 1, 2018,";

On page 5, in line 5, by striking "On and after July 1, 2018,"; in line 22, by striking

"On and after July 1, 2018,";

On page 8, in line 9, by striking "On and after July 1, 2018,";

On page 9, in line 3, by striking "On and after July 1, 2018,"; in line 15, by striking "On and after July 1, 2018,"; in line 28, by striking "On and after July 1, 2018,";

On page 10, in line 19, by striking "On and after July 1, 2018,";

On page 11, following line 7, by inserting:

"(g) No prosecution for an offense described in subsection (a) shall be brought prior to January 1, 2018. The provisions of this subsection shall expire on June 30, 2018.";

Also on page 11, in line 8, by striking "On and after July 1, 2018,"; in line 13, by striking "On and after July 1, 2018,"; following line 17, by inserting:

"(b) (1) On or before January 1, 2018, the secretary shall adopt rules and regulations necessary to implement the amendments made to the Kansas amusement ride act, K.S.A. 2016 Supp. 44-1601 et seq., and amendments thereto, and the amusement ride insurance act, K.S.A. 40-4801 et seq., and amendments thereto, by this act.";

Also on page 11, in line 18, by striking "(b)" and inserting "(2)"; in line 23, by striking "(c)" and inserting "(3)"; by striking all in lines 28 through 34; following line 34 by inserting:

"New Sec. 14. The provisions of this act shall not be enforced by the secretary prior to the date of publication of the rules and regulations adopted by the secretary pursuant to K.S.A. 2016 Supp. 44-1614(b), and amendments thereto. Prior to taking any action pursuant to section 11, and amendments thereto, the secretary shall provide the owner or operator of an amusement ride a reasonable period of time to comply with the provisions of K.S.A. 2016 Supp. 44-1601 et seq., and amendments thereto, and K.S.A. 40-4801 et seq., and amendments thereto.";

On page 12, in line 6, by striking "On and after July 1, 2018,"; in line 8, by striking the first comma and inserting "and"; also in line 8, by striking "and 44-1615, as revived by section 14 of this act,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking all after the semicolon; in line 5, by striking all before "also"; in line 17, by striking all after the first comma; in line 18, by striking all before the first "and";

and **H Sub for SB 86** be passed as amended.

Committee report recommending a substitute bill to **SB 109** be adopted;

On motion of Rep. Jennings, **H Sub for SB 109** be amended on page 103, by striking all in lines 6 through 43;

On page 104, by striking all in lines 1 through 28;

On page 109, following line 34, by inserting:

"On-site state employee health clinic fund.....\$2,700,000

Provided, That expenditures from the on-site state employee health clinic fund shall be used by the above agency during fiscal year 2018 to procure the services of a vendor to establish an on-site state employee health clinic, including any services necessary to construct, renovate and operate such clinic: *Provided further*, That such clinic may be located on property owned or leased by the state of Kansas: *And provided further*, That except as provided further, any procurement contract solicited and executed pursuant to

this proviso shall be subject to the competitive bid requirements established in K.S.A. 75-3737a et seq., and amendments thereto: *Provided, however*; That the above agency may consider cost avoidance and return on investment when determining the lowest responsible bidder: *And provided further*; That any procurement contract executed pursuant to this proviso shall include, at a minimum, the following requirements of the vendor: (1) Employing a physician licensed by the state board of healing arts to oversee the clinic; (2) providing clinic services to state employees free of charge or, for state employees who participate in the state health care benefits program and who elect a high-deductible health plan and health savings account, for the minimum charge permissible by federal law; (3) establishing and maintaining an online, secure patient portal that allows secure messaging with clinic healthcare providers, scheduling and access to the patient's personal medical record; (4) offering, at a minimum, the following services at the clinic: General primary healthcare services; limited supply and dispensing of medications, to the extent permitted under the pharmacy act of the state of Kansas; on-site laboratory services that are granted waived status under the federal clinical laboratory improvement amendments of 1988 by the United States food and drug administration; third-party laboratory services that are not granted such waived status; behavioral health services; and physical medicine services; (5) offering clinic services that align with the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission; (6) providing data security for all clinic and patient data and shall not contract with or otherwise rely upon a third party to provide such security; (7) providing an electronic medical record system that is interoperable, that enables the exchange of health data with outside electronic medical record systems, public health entities, clinicians, administrative staff and health provider organizations and that enables healthcare providers to view health data within the healthcare provider's work flow from other healthcare providers across healthcare delivery venues; and (8) preparing a report detailing cost avoidance and return on investment over a period of five years and shall submit such report to the secretary of administration, the house of representatives standing committee on appropriations and the senate standing committee on ways and means: *And provided further*; That the contract shall include performance guarantees, including, but not limited to, guarantees related to: Patient experience, including patient satisfaction, wait time and complaint resolution; compliance and reporting, establishment of criteria for providing financial or clinic incentives to state employees who participate in the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission: *And provided further*; That the above agency shall advise and consult with the Kansas state employees health care commission regarding the establishment of the on-site state employee health clinic described in this proviso, including any bids submitted to establish the on-site state employee health clinic: *And provided further*; That the above agency shall advise and consult with the joint committee on state building construction regarding the identification and selection of space and premises to establish the on-site state employee health clinic described in this proviso: *And provided further*; That the above agency shall advise and consult with the department of health and environment regarding the operation of the on-site state employee health clinic described in this proviso: *And provided, however*; That the construction or renovation of premises related to the establishment of an on-site state employee health clinic pursuant

to this proviso shall not exceed the sum of \$500,000.";

On page 121, following line 11, by inserting:

"(w) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,700,000 from the health insurance premium reserve fund (264-00-7350-7350) of the department of health and environment – division of health care finance to the on-site state employee health clinic fund of the department of administration.";

On page 222, in line 1, by adding \$400,000 to the dollar amount and by adjusting the dollar amount in line 1 accordingly;

On page 228, in line 40, by adding \$400,000 to the dollar amount and by adjusting the dollar amount in line 40 accordingly;

On page 231, in line 13, by adding \$600,000 to the dollar amount and by adjusting the dollar amount in line 13 accordingly;

On page 441, following line 28, by inserting:

"Streambank stabilization (709-00-1800-1265).....\$1,000,000

Provided, That any unencumbered balance in the streambank stabilization account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Irrigation technology.....\$400,000

Kansas river alluvial aquifer observation well network.....\$100,000

Reservoir bathymetric surveys and biological research.....\$100,000";

On page 554, in line 13, by striking all after "that"; in line 14, by striking all before "during"; also in line 14, by striking "years" and inserting "year"; in line 15, after the second comma, by inserting "the transfer shall not exceed \$2,000,000. No moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years ending"

Also, on motion of Rep. Landwehr, **H Sub for SB 109** be amended on page 198, following line 33, by inserting:

"(m) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2018 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.";

On page 209, following line 28, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2019 from moneys appropriated from the state general fund or any special revenue fund

or funds by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law."

Also, on motion of Rep. Whitmer, **H Sub for SB 109** be amended on page 24, in line 43, by adding \$267,399 to the dollar amount and by adjusting the dollar amount in line 43 accordingly;

On page 25, in line 9, after "room" by inserting ": *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2018, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2018 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live audio streaming of legislative proceedings in an amount not to exceed \$267,399: *And provided further*, That in providing such live audio streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live audio streaming";

Also on page 25, in line 32, by adding \$247,399 to the dollar amount and by adjusting the dollar amount in line 32 accordingly; in line 41, after "room" by inserting ": *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2019 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live audio streaming of legislative proceedings in an amount not to exceed \$247,399: *And provided further*, That in providing such live audio streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live audio streaming";

On page 176, by striking all in line 36;

On page 178, by striking all in line 24

Also, on motion of Rep. Claeys, **H Sub for SB 109** be amended on page 359, in line 21, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 21 accordingly;

On page 360, in line 14, by subtracting \$6,000,000 from the dollar amount and by adjusting the dollar amount in line 14 accordingly;

On page 368, in line 22, by adding \$6,000,000 to the dollar amount and by adjusting the dollar amount in line 22 accordingly;

On page 369, in line 15, by subtracting \$6,000,000 from the dollar amount and by adjusting the dollar amount in line 15 accordingly;

Also, on motion of Rep. Sloan, **H Sub for SB 109** be amended on page 282, following line 11, by inserting:

"(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however;* That such admission fees may be increased by the above agency during fiscal year 2018 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further;* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.";

On page 284, following line 10, by inserting:

"(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however;* That such admission fees may be increased by the above agency during fiscal year 2019 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further;* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses."

Also, on motion of Rep. Carmichael to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Corbet to amend **H Sub for SB 109**, Rep. Waymaster requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. The motion of Rep. Corbet did not prevail.

Also, on motion of Rep. Parker to amend **H Sub for SB 109**, the motion did not prevail.

Also, on further motion of Rep. Parker to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Concannon, **H Sub for SB 109** be amended on page 476, in line 23, by striking "otherwise alter the structure of" and inserting "combine"; in line 27, by striking all after the first "or"; by striking all in line 28; in line 29, by striking all before the first "such" and inserting "combine"; in line 30, by striking ", alteration," and inserting "or"; also in line 30, by striking "or reassignment"

Also, on motion of Rep. Landwehr, **H Sub for SB 109** be amended by amending the amendment designated fa_2017_sb109_h_2308, adopted by House Committee of the Whole on June 8, 2017, in paragraph (3) of the proviso, after "clinic healthcare providers," by inserting "including an electronic option for a patient to interact with a clinic healthcare provider to access and receive care using a computer, tablet or phone,"

Also, on motion of Rep. Helgerson, **H Sub for SB 109** be amended on page 477, in line 14, after "transfer" by inserting "50% of"; in line 16, after "thereto" by inserting ", and 50% of such certified excess amount to the Kansas public employees retirement fund to be applied to the payment, in full or in part, of the unfunded actuarial pension liability as directed by the Kansas public employees retirement system"; in line 20, by striking the colon; in line 21, by striking "(1)" and inserting a comma; in line 23, strike all after "years"; by striking all in lines 24 through 34; in line 35, by striking "fund";

On page 478, in line 5, by striking the second "and"; in line 10, after "fuels" by inserting:

"; and

(3) "unfunded actuarial pension liability" means the unfunded actuarially accrued liability of the state for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, portion of such liability of the Kansas public employees retirement system, determined as of the later of December 31, 2016, or the end of the most recent calendar year for which an actuarial valuation report is available"

Also, on further motion of Rep. Helgerson, **H Sub for SB 109** be amended on page 246, following line 40, by inserting:

"(u) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such moneys to establish a mental health task force: *Provided*, That such task force shall consist of 11 members appointed as follows: (1) One member of the senate appointed by the president of the senate; (2) one member of the senate appointed by the minority leader of the senate; (3) one member of the house of representatives appointed by the speaker of the house of

representatives; (4) one member of the house of representatives appointed by the minority leader of the house of representatives; (5) one public mental health system provider; (6) one private mental health system provider; (7) one consumer of mental health services; (8) one family member of a consumer of mental health services; (9) one representative of the Kansas department for aging and disability services; and (10) two representatives of advocacy organizations for persons with mental illness; each of the members listed in paragraphs (5) through (10) appointed by the legislative coordinating council: *Provided further*, That such task force shall study the following topics: The Kansas mental health delivery system; the most effective ways to deliver mental health services, including the varied services required for individuals of varying ages; the certification process of Osawatomie state hospital; a comprehensive strategy for delivery of mental health services; the maximization of federal and other funding sources for mental health services; the statewide absence of crisis stabilization centers to provide short-term mental health crisis care of 48 hours or less; options for privatization of mental health services; and other matters relating to mental health services as such task force deems appropriate: *And provided further*, That such task force shall submit a report on the task force's findings to the senate standing committees on ways and means and public health and welfare and the house of representatives standing committees on appropriations and health and human services on or before January 8, 2018."

Also, on further motion of Rep. Helgeson to amend **H Sub for SB 109** the motion was withdrawn.

Also, on further motion of Rep. Helgeson to amend **H Sub for SB 109** the motion was withdrawn.

Also, on motion of Rep. Deere to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Hodge to amend **H Sub for SB 109**, the motion did not prevail.

Also, on motion of Rep. Ballard to amend **H Sub for SB 109**, Rep. Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, on motion of Rep. Claeys, **H Sub for SB 109** be amended on page 368, following line 6, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, for the secretary of corrections, in consultation with the director of the budget, to certify the amount of moneys saved in efficiencies created by the lease-purchase agreement or issuance of bonds for a new correctional institution in Lansing, Kansas, pursuant to section 213(e): *Provided*, That upon certification of the amount of any such savings, the secretary of the department of corrections shall use

such moneys to provide a salary increase for correctional officers employed by the above agency: *And provided further*; That the secretary of the department of corrections shall certify such salary increases to the director of the budget and shall transmit a copy of each such certification to the director of legislative research.";

On page 377, following line 21, by inserting:

"(l) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, for the secretary of corrections, in consultation with the director of the budget, to certify the amount of moneys saved in efficiencies created by the lease-purchase agreement or issuance of bonds for a new correctional institution in Lansing, Kansas, pursuant to section 213(e): *Provided*, That upon certification of the amount of any such savings, the secretary of the department of corrections shall use such moneys to provide a salary increase for correctional officers employed by the above agency: *And provided further*; That the secretary of the department of corrections shall certify such salary increases to the director of the budget and shall transmit a copy of each such certification to the director of legislative research.";

and **H Sub for SB 109** be passed as amended.

INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hineman, pursuant to House Rule 2311, **HB 2426**, **H Sub for SB 86**, **H Sub for SB 109**, were advanced to Final Action on Bills and Concurrent Resolutions.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2426, AN ACT reconciling amendments to certain statutes; amending K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 36, 12-4117, 12-4120, as amended by section 7 of 2017 Senate Bill No. 89, 12-4516, 21-6614, as amended by section 15 of 2017 House Substitute for Senate Bill No. 40, 22-2410, as amended by section 8 of 2017 Senate Bill No. 112, 22-3717, as amended by section 10 of 2017 Senate Bill No. 112, 22-4903, 38-2312, as amended by section 23 of 2017 House Substitute for Senate Bill No. 40, 65-4202, as amended by section 22 of 2017 Senate Substitute for House Bill No. 2055, 65-6111 and 74-7305, as amended by section 14 of 2017 House Substitute for Senate Bill No. 101, and repealing the existing sections; also repealing K.S.A. 2016 Supp. 8-135, as amended by section 1 of 2017 Senate Bill No. 89, 12-4112a, 12-4117b, 12-4120, as amended by section 5 of 2017 House Substitute for Senate Bill No. 40, 12-4516e, 21-6614, as amended by section 5 of 2017 House Bill No. 2041, 21-6614, as amended by section 3 of 2017 House Bill No. 2085, 22-2410, as amended by section 6 of 2017 House Bill No. 2041, 22-3717, as amended by section 20 of 2017 House Substitute for Senate Bill No. 40, 22-4903a, 38-2312, as amended by section 15 of 2017 House Bill No. 2041, 65-4202, as amended by section 3 of 2017 House Bill No. 2025, 65-6111a and 74-7305, as amended by section 24 of 2017 House Substitute for Senate Bill No. 40, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 1; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Alford, Arnberger, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burris, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Miller.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Pittman, Thompson.

The bill passed, as amended.

H Sub for SB 86, AN ACT concerning amusement rides; relating to the Kansas amusement ride act; amending K.S.A. 40-4801 and K.S.A. 2016 Supp. 40-4802, 44-1601, 44-1602, 44-1603, 44-1604, 44-1607, 44-1610, 44-1613 and 44-1614 and repealing the existing sections; also repealing K.S.A. 40-4801, as amended by section 4 of 2017 House Substitute for Senate Bill No. 70, and K.S.A. 2016 Supp. 40-4802, as amended by section 5 of 2017 House Substitute for Senate Bill No. 70, 44-1601, as amended by section 6 of 2017 House Substitute for Senate Bill No. 70, 44-1602, as amended by section 7 of 2017 House Substitute for Senate Bill No. 70, 44-1603, as amended by section 8 of 2017 House Substitute for Senate Bill No. 70, 44-1604, as amended by section 9 of 2017 House Substitute for Senate Bill No. 70, 44-1607, as amended by section 10 of 2017 House Substitute for Senate Bill No. 70, 44-1610, as amended by section 11 of 2017 House Substitute for Senate Bill No. 70, 44-1613, as amended by section 12 of 2017 House Substitute for Senate Bill No. 70, 44-1614, as amended by section 13 of 2017 House Substitute for Senate Bill No. 70, and sections 1, 2 and 3 of 2017 House Substitute for Senate Bill No. 70, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 14; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Blex, Brim, Burris, Campbell, B. Carpenter, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Lakin, Landwehr, Lewis, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, F. Patton, Phelps, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman,

Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weber, C., Weigel, Wheeler, Whitmer, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Burroughs, Carlin, Carmichael, Claeys, Frownfelter, Kuether, Lusk, Parker, Sawyer, Schwab, Sloan, Ward, Whipple.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Pittman.

The substitute bill passed, as amended.

H Sub for SB 109, AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 75-6706, as amended by section 47 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79 and 804 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 23; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Hineman, Hodge, Holscher, Humphries, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mastroni, Murman, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Victors, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Burris, Carmichael, B. Carpenter, Claeys, Corbet, Delperdang, Esau, Garber, Highland, Hoffman, Houser, Huebert, Jacobs, K. Jones, Mason, Miller, Osterman, R. Powell, Sutton, Ward, Weber, C., Whitmer.

Present but not voting: None.

Absent or not voting: Aurand, Barker.

The substitute bill passed, as amended.

REPORT ON ENGROSSED BILLS

HB 2409 reported correctly engrossed June 7, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Friday, June 9, 2017.

Journal of the House

EIGHTY-SEVENTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Friday, June 9, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 115 members present.

Rep. Neighbor was excused on verified illness.

Rep. Ruiz was excused on legislative business.

Reps. Arnberger, Aurand, Barker, Cox, Jacobs, Koesten and Sloan were excused on excused absence by the Speaker.

Prayer by Rep. Campbell:

May we all;
Do a little bit better than the first time,
Learn a little something from the worst times,
Get a little stronger from the hurt times

May we all;
Get to have a chance to ride the fast one
Walk away wiser when we crashed one
Keep hoping that the best one is the last one.
And everyone said....Amen.

Words from the song "May We All"
by Florida Georgia Line
Songwriters: Rodney Clawson and Jamie Moore

The Pledge of Allegiance was led by Rep. Helgerson.

MESSAGES FROM THE SENATE

The Senate announced the appointment of Senators Tyson, Kerschen, and Holland to replace Senators Longbine, Billinger, and Rogers as conferees on **HB 2111**.

The Senate accedes to the request of the House for a conference on **HB 2407** and has appointed Senators McGinn, Billinger and Kelly as second conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **HB 2212**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 96**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 96** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 13 through 34;

By striking all on pages 2 through 28;

On page 29, by striking all in lines 1 through 23; following line 23 by inserting:

"New Section 1. (a) The secretary of revenue may require, as a qualification for initial or continuing employment or contracting with the department of revenue, all persons having access to federal tax information received directly from the internal revenue service to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal arrests and convictions in this state or other jurisdictions. The secretary is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the secretary in the taking and processing of fingerprints of such persons and shall release all records of a person's arrests and convictions to the secretary.

(b) The secretary may use the information obtained from fingerprinting and a person's criminal history only for the purposes of verifying the identification of such person and in the official determination of the fitness of such person's qualification for initial or continuing employment. Disclosure or use of any information received by the secretary or a designee of the secretary for any purpose other than the purpose provided for in this section shall be a class A nonperson misdemeanor and shall constitute grounds for removal from office or termination of employment. Nothing in this section shall prevent disclosure of any information received by the secretary pursuant to this section to the post auditor in accordance with the provisions of the legislative post audit act.

(c) Whenever the secretary requires fingerprinting, any associated costs shall be paid by the agency or contractor.

Sec. 2. K.S.A. 2016 Supp. 74-2015 is hereby amended to read as follows: 74-2015. Within the division of vehicles, there shall be a supervisor of driver's license examiners and such driver's license examiners as may be needed. ~~Said~~ The supervisor and all such driver's license examiners shall be within the classified service under the Kansas civil service act, except as otherwise provided by the provisions of K.S.A. 75-2935(1)(x) or (1)(cc), and amendments thereto. Any person employed by a third party who has entered into a contract with the department of revenue pursuant to K.S.A. 8-129, and amendments thereto, to provide services of a driver's license examiner shall not be required to be within the classified service under the Kansas civil service act. Such

driver's license examiners shall make and conduct all examinations of applicants for operator's and chauffeur's licenses required by law, and shall exercise and enforce the licensing provisions of the operator's and chauffeur's licensing act, and shall perform such other duties as may be prescribed by law or by the director of vehicles. All such driver's license examiners are hereby vested with the power and authority of peace and police officers in the execution of the duties imposed upon them by this act and by the director of vehicles. The director of vehicles shall determine what, if any, vehicles, equipment and supplies, and insignia of office are needed by driver's license examiners. The property so determined to be needed shall be furnished without expense to such examiners. All property so furnished shall remain the property of the state and be strictly accounted for by each driver's license examiner. The secretary of revenue may adopt rules and regulations for the conduct and duties of driver's license examiners.

Sec. 3. K.S.A. 2016 Supp. 74-2015 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 9; in line 10, by striking all before the period and inserting "the department of revenue; relating to persons with access to federal tax information, fingerprinting; driver's license examiners, unclassified service; amending K.S.A. 2016 Supp. 74-2015 and repealing the existing section";

And your committee on conference recommends the adoption of this report.

STEVEN C. JOHNSON

TOM PHILLIPS

TOM SAWYER

Conferees on part of House

CARYN TYSON

DAN KERSCHEN

TOM HOLLAND

Conferees on part of Senate

On motion of Rep. Johnson, the conference committee report on **SB 96** was adopted.

On roll call, the vote was: Yeas 67; Nays 48; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Awerkamp, Becker, Blex, Brim, Burris, Campbell, Claeys, Clark, Concannon, Corbet, E. Davis, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Francis, Gallagher, Garber, Good, Hawkins, Hibbard, Highland, Hineman, Hoffman, Houser, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Lakin, Landwehr, Lewis, Markley, Mason, Mastroni, Orr, Osterman, F. Patton, Phillips, R. Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schwab, Seiwert, Smith, A., Smith, E., Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Baker, Ballard, Bishop, Burroughs, Carlin, Carmichael, B. Carpenter, Clayton, Crum, S., Curtis, Deere, Delperdang, Ellis, Finney, Frownfelter, Gartner, Helgerson, Henderson, Highberger, Hodge, Holscher, Huebert, Humphries, Kuether, Lusk, Lusker, Miller, Murnan, Ohaebosim, Ousley, Parker, Phelps, Pittman, Sawyer, Schroeder, Stogsdill, Trimmer, Vickrey, Victors, Ward, Weber, C., Weigel, Whipple,

Whitmer, Wilson, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Barker, Cox, Jacobs, Koesten, Neighbor, Ruiz, Sloan.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 126** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Further Amended by House Committee as follows:

On page 1, by striking all in lines 4 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 through 39; following line 39, by inserting:

"Section 1. (a) The secretary for children and families shall establish a child welfare system task force to study the child welfare system in the state of Kansas. The Kansas department for children and families shall provide administrative assistance to facilitate organization and meetings of any working group convened by the task force. The department shall provide assistance to working groups to prepare and publish meeting agendas, public notices, meeting minutes and any research, data or information requested by a working group.

(b) The child welfare system task force shall consist of the following members, each to be appointed by the respective appointing authority on or before July 15, 2017:

(1) The chairperson of the senate standing committee on public health and welfare;

(2) the vice-chairperson of the senate standing committee on public health and welfare;

(3) the ranking minority member of the senate standing committee on public health and welfare;

(4) the chairperson of the house standing committee on children and seniors;

(5) the vice-chairperson of the house standing committee on children and seniors;

(6) the ranking minority member of the house standing committee on children and seniors;

(7) the secretary for children and families or the secretary's designee, who shall be a non-voting member;

(8) the director of prevention and protection services for the Kansas department for children and families, who shall be a non-voting member;

(9) one representative from each entity that contracts with the Kansas department for children and families to provide foster care, family preservation, reintegration and permanency placement services, appointed by each such entity, each of whom shall be a non-voting member;

(10) one member appointed by the chief justice of the supreme court;

(11) one representative of Kansas court-appointed special advocates, appointed by the chief justice of the supreme court;

(12) one member of a citizen review board established pursuant to the revised Kansas code for care of children, appointed by the chief justice of the supreme court;

(13) one member representing a foster parent organization, appointed by the

judicial council;

(14) one guardian ad litem with experience representing children in child in need of care cases, appointed by the judicial council;

(15) one family law attorney with experience providing legal services to parents and grandparents in child in need of care cases, appointed by the judicial council;

(16) one social worker licensed by the behavioral sciences regulatory board, appointed by the judicial council;

(17) one member of the state child death review board established by K.S.A. 22a-243, and amendments thereto, appointed by the board;

(18) one county or district attorney with experience in child in need of care cases, appointed by the Kansas county and district attorneys association; and

(19) one law enforcement officer, appointed by the Kansas association of chiefs of police.

(c) (1) The chairperson of the house standing committee on children and seniors shall serve as the first chairperson of the child welfare system task force and the chairperson of the senate standing committee on public health and welfare shall serve as the first vice-chairperson of the task force. The position of chairperson and vice-chairperson shall alternate annually upon the first meeting of the task force in each calendar year.

(2) The child welfare system task force may meet in an open meeting at any time and at any place within the state of Kansas upon the call of the chairperson. The task force shall meet at least six times per calendar year.

(3) A majority of the voting members of the child welfare system task force constitute a quorum. Any action by the task force shall be by motion adopted by a majority of voting members present when there is a quorum.

(4) Any vacancy on the child welfare system task force shall be filled by appointment in the manner prescribed in this section for the original appointment.

(d) (1) The child welfare system task force shall convene working groups to study the following topics: The general administration of child welfare by the Kansas department for children and families; protective services; family preservation; reintegration; foster care; and permanency placement.

(2) On or before August 15, 2017, the chairperson and vice-chairperson of the child welfare system task force and the ranking minority members appointed under subsections (b)(3) and (b)(6) shall jointly appoint the chairperson and vice-chairperson of each working group from the members of the task force. The chairperson and vice-chairperson of each working group shall jointly appoint members to the working group, each working group consisting of not more than seven non-task force members and not fewer than two task force members. Any non-task force member appointed to a working group shall possess specific expertise related to the working group's assigned topic of study.

(e) The child welfare system task force and each working group convened by the task force shall study the following topics:

(1) The level of oversight and supervision by the Kansas department for children and families over each entity that contracts with the Kansas department for children and families to provide reintegration, foster care and adoption services;

(2) the duties, responsibilities and contributions of state agencies, nongovernmental entities and service providers that provide child welfare services in the state of Kansas;

(3) the level of access to child welfare services, including, but not limited to, health and mental health services and community-based services, in the state of Kansas;

(4) the increasing number of children in the child welfare system and contributing factors;

(5) the licensing standards for case managers working in the child welfare system; and

(6) any other topic the child welfare system task force or working group deems necessary or appropriate.

(f) The child welfare system task force and each working group convened by the task force shall consider, at a minimum, United States department of health and human services child and family services reviews and child and family services plans and reports relating to foster care prepared by the division of post audit, the 2015 special committee on foster care adequacy and the 2016 special committee on foster care adequacy.

(g) The child welfare system task force shall advise and consult with citizen review boards established pursuant to the revised Kansas code for care of children in conducting the study required by this section.

(h) The Kansas department for children and families shall, upon request by the child welfare system task force, provide data and information relating to the child welfare system in the state of Kansas that is not otherwise prohibited or restricted from disclosure by state or federal law, including conditions imposed by federal law or rules and regulations for participation in federal programs administered by the secretary for children and families.

(i) The child welfare system task force shall submit a preliminary progress report to the legislature detailing the task force's study under this section on or before January 8, 2018, and a final report to the legislature detailing the task force's study on or before January 14, 2019.

(j) The child welfare system task force's report shall include recommended improvements regarding the safety and well-being of children in the child welfare system in the state of Kansas, including recommended changes to current law, rules and regulations and child welfare system processes, whether an ongoing task force or similar advisory or oversight entity consisting of legislators, attorneys in the area of family law, judges, foster parents, parents with reintegrated children and other interested parties would aid in addressing child welfare system concerns and any other topics the child welfare system task force deems appropriate.

(k) Staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide assistance as may be requested by the child welfare system task force, including assistance to a legislative task force member serving on a working group, subject to approval by the legislative coordinating council.

(l) (1) Subject to approval by the legislative coordinating council, members of the child welfare system task force attending meetings authorized by the task force shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto, except that task force members who are employed by a state agency shall be reimbursed by such state agency.

(2) Non-task force members of working groups convened by the child welfare system task force attending meetings of such working groups shall be paid by the

Kansas department for children and families amounts provided in K.S.A. 75-3223(e), and amendments thereto, except that non-task force members who are employed by a state agency shall be reimbursed by such state agency.

(m) The provisions of this section shall expire on June 30, 2019.";

On page 1, in the title, in line 1, by striking all after "the" and inserting "child welfare system task force; concerning the study of the child welfare system in the state of Kansas; report to the legislature.";

And your committee on conference recommends the adoption of this report.

STEPHEN ALFORD
LINDA GALLAGHER
JARROD OUSLEY

Conferees on part of House

VICKI SCHMIDT
BARBARA BOLLIER
LAURA KELLY

Conferees on part of Senate

On motion of Rep. Alford, the conference committee report on **H Sub for SB 126** was adopted.

On roll call, the vote was: Yeas 105; Nays 10; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Crum, S., Curtis, E. Davis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Holscher, Houser, Huebert, Humphries, Jennings, Johnson, K. Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Pittman, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Awerkamp, Burris, Ellis, Garber, Hoffman, R. Powell, Schroeder, Schwab, Vickrey, Whitmer.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Barker, Cox, Jacobs, Koesten, Neighbor, Ruiz, Sloan.

REPORT ON ENGROSSED BILLS

HB 2426 reported correctly engrossed June 8, 2017.

REPORT ON ENROLLED BILLS

HB 2079 reported correctly enrolled, properly signed and presented to the Governor on June 9, 2017.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

MESSAGES FROM THE GOVERNOR

HB 2092, S Sub for HB 2132 approved on June 9, 2017

MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **H Sub for SB 86**.

The Senate adopts the Conference Committee report on **SB 96**.

The Senate adopts the Conference Committee report on **H Sub for SB 126**.

Announcing passage of **HB 2426**.

The Senate nonconcurrs in House amendments to **H Sub for SB 109**, requests a conference and has appointed Senators McGinn, Billinger and Kelly as conferees on the part of the Senate.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, the House acceded to the request of the Senate for a conference on **H Sub for SB 109**.

Speaker pro tem Schwab thereupon appointed Reps. Waymaster, Davis and Wolfe Moore as conferees on the part of the House.

REPORT ON ENROLLED BILLS

Sub HB 2230, HB 2313, HB 2409 reported correctly enrolled, properly signed and presented to the Governor on June 9, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Saturday, June 10, 2017.

In The House Of Representatives
Of The State Of Kansas

Protest of House Minority Leader Jim Ward
Against the Conference Committee Report for Senate Bill 19
June 6, 2017

Mr. Speaker: I hereby exercise my right under Article 2, Section 10, of the Kansas Constitution to protest **the Conference Committee Report for Senate Bill 19 (“CCR for SB 19”)**.

The Kansas Constitution in Article 6, Section 6, subsection (b) provides “[t]he legislature shall make suitable provision for the finance of the educational interests of the state.” Over the last 30 years the Kansas Supreme Court has heard several lawsuits challenging the legislature’s failure to meet this constitutional obligation. The Court has identified two bedrock constitutional requirements in school finance cases: the equitable distribution of funds reasonably calculated to meet each child’s educational needs and adequate funding so that schools can ensure each child receives a suitable education.

On March 2, 2017, the Kansas Supreme Court issued its decision in *Gannon v. State of Kansas (Gannon IV)* found that “[u]nder the facts of this case, the state’s public education financing system provided by the legislature for grades K-12. Through its structure and implementation, is not reasonably calculated to have all Kansas public education students meet or exceed the . . . *Rose* standards . . . presently codified in K.S.A. 2016 Supp. 72-1127.” The Court further directed that “[o]nce a new financing system is enacted, the State will have to satisfactorily demonstrate to this court by June 30, 2017, that its proposed remedy is reasonably calculated to address the constitutional violates identified, as well as comports with previously identified constitutional mandates such as equity.”

The CCR for SB 19 fails to satisfy both the adequacy and equity requirements of the Kansas Constitution in several significant areas.

1. **Adequate funding.** CCR for SB 19 provides only \$286 million in new money in the next two school years to K-12. This means the per pupil amount will only grow from \$4,006 to \$4,128 over that same period. While this is an increase in base state aid from what was provided in CLASS, it falls well short of achieving the high-water mark of \$4,400 in 2009. Meaning that five years from now we will still be below where we were eight years ago.

In its Order, the Court made it clear there is a correlation between funding and achievement and noted CLASS’s unconstitutionality was due to underfunding. The Court further instructed that actual costs remain a valid factor to be considered in determining constitutional adequacy under Article 6 and instructed the state to not ignore the legislatively commissioned cost studies in creating a remedy.

The Kansas State Board of Education has recommended \$893 million in new money over the same period as funded in the CCR for SB 19. The cost studies commissioned by the legislature estimated a need for \$1.4 billion of new money for K-12. By whatever measurement used, it is clear the CCR for SB 19 is woefully inadequate in funding for our schools which puts the legislature in clear violation of the Kansas Constitution.

40 districts lose \$7.4 million in funding. These districts still have students not achieving. It is not reasonable to expect that they will be able to increase achievement with decreased resources. Another factor of inadequacy.

2. **At-Risk 10% Floor.** The 10% at-risk floor contained in this CCR provides \$2 million a year in additional money for two school districts while many other districts with more at-risk students than free-lunch students do not get extra funds for their at-risk students. There is no cost-based reasoning for this funding and its implementation is structurally flawed. This is both an adequacy and equity violation.

3. **High-Density At-Risk.** The high-density at-risk student weighting provides that when the enrollment of a school or school district is at least 50% at-risk students, the school or school district will receive a high-density at-risk weighting equal to 10.5 percent of the at-risk students of the district. The change to a school level as opposed to the school district level provides \$1.9 million in additional funding to two school districts while leaving roughly half of the other school districts with nothing. This is structurally flawed as it helps individual schools as opposed to school districts as a whole. This is an adequacy violation.

4. **Ancillary School Facilities Weighting.** The Ancillary Levy allows districts to acquire additional money to defray the costs associated with commencing the operation of new facilities. It benefits primarily five districts with \$24 million additional local funding that is not equalized.

5. **Declining Enrollment Levy.** The Declining Enrollment Levy is allowed for two districts. These districts will be able to raise \$3.7 million from increases in their LOB above 31%. Low valuation districts are not able to access these funds which results in inequity.

6. **Cost-of-Living Weighting.** The Cost-of-Living Weighting will allow for six districts to raise \$20 million in unequalized local funding while 21 districts qualify for it. The inclusion of the protest petition also means not all qualifying districts will be able to access the funds.

7. **Extraordinary Declining Enrollment.** CCR for SB 19 provides \$2,593,452 in one-time money for school districts with extraordinary declining enrollment. There is no cost-based reasoning for this funding and it is clearly disequalizing.

8. **Local Option Budget.** Prior Local Option Budget authorization is grandfathered in this report providing 44 districts an extra \$30 million in funding due to an additional

3% of LOB authority. While this is disequalizing on its face it is further disequalizing when you consider those 44 districts have access to these funds without an election while the remaining school districts will be required to obtain taxpayer approval for an increase in their LOB. There is no cost-based reasoning for this funding making it difficult to defend based on equity.

9. **Local Option Budget Equalization.** LOB equalization changes create inequity by changing the assessed valuation per pupil (AVPP) from calculating on current year to using prior year numbers, then after FY 2019, changes again to an average of the prior three years. This method will delay equalization to districts with declining AVPP and allows some districts with increasing AVPP to retain unwarranted equalization money.

10. **Artificial Local Option Budget Base Aid.** The Artificial Local Option Budget Base Aid allows for the use of a base aid amount of \$4,490 for purposes of calculating the LOB authority for local school districts if the base aid is less than \$4,490. This artificial number has been indexed beginning in the 2019-2020 school year using a 3-year rolling average CPI. Essentially, the actual base aid will never catch-up to the artificial base used for calculating LOB authority. This lacks any cost-based reasoning and is inequitable.

11. **Capital Outlay Equalization.** Capital Outlay Equalization changes operate in the same manner as LOB equalization and will result in the same inequity.

12. **Expansion of Capital Outlay Fund Usage.** The Capital Outlay Fund usage has been expanded for the addition of utility expenses and property and casualty insurance which creates a major equity violation. Property and Casualty Insurance expenses are approximately \$35 million statewide while utility expenses are approximately \$106 million statewide. The inclusion of both of these in Capital Outlay would be an expansion by 53%. Expanding the use of a wealth limited fund allows districts with high wealth to shift vastly more operating expenditures into capital outlay, freeing up their general fund or LOB for offering additional education opportunities to their students. Districts with lower wealth will not have the same ability to shift expenditures as wealthy districts.

13. **Miscellaneous Problems.**

a. **Tax Credit for Low Income Students Scholarship (TCLISS).** Eligibility of this program is now expanded to individuals and LLCs. This program contributes zero to solve the adequacy problem while draining state funds away from the state general fund.

b. **Virtual Schools.** Virtual Schools continue unchanged despite having little data showing contribution to the outcomes necessary to meet constitutional responsibilities.

For those reasons, it is clear that the CCR for SB 19 does not meet the constitutional

requirements of the *Gannon* decision. This is in no way constitutional or acceptable for the school children of Kansas.

Representative Jim Ward
District 86

Journal of the House

EIGHTY-EIGHTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Saturday, June 10, 2017, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Schwab in the chair.

The roll was called with 115 members present.
Reps. Arnberger, Aurand, Barker, Huebert, Landwehr, Pittman, Ruiz, Sloan and Whitmer was excused on excused absence by the Speaker.
Excused later: Reps. Davis and Humphries.
Present later: Reps. Arnberger and Davis.

Prayer by Rep. Schroeder:

Our great Lord and Heavenly Father,
we come before you this morning, thanking You for Your many blessings.

We also thank You for this great State and Country
where we have freedom to praise, honor and worship You freely.
What a blessing that is.

We ask for Your wisdom as the final decisions are made
as we near the end of the Legislative session here in Kansas,
asking for grace and peace.

Thank You for the elected leaders You have put in place and all those involved,
as we have worked through this sometimes messy process.

I ask for Your continuing wisdom for not only the State leaders,
but also for our national and international leaders as well.

We know You are with them as difficult decisions are made.

Finally Lord, thank You again for Your grace and patience.
Guide as we soon depart from here, asking for traveling mercies.

In Jesus name. Amen

The Pledge of Allegiance was led by Rep. Finney.

On motion of Rep. Hineman, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Schwab in the chair.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2212**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2212** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee amendments, as follows:

On page 1, by striking all in lines 6 through 10; following line 10, by inserting:

"New Section 1. (a) The following described property, to the extent herein specified, shall be exempt from all property taxes levied under the laws of the state of Kansas: All buildings, together with the land upon which the buildings are located, and all tangible personal property associated therewith, owned by a redevelopment authority established as a body corporate and politic pursuant to K.S.A. 19-4901 et seq., and amendments thereto, that is located in a redevelopment district within a former federal enclave and is leased to a business and thereafter used exclusively for the purpose of: (1) Manufacturing articles of commerce; (2) conducting research and development; or (3) processing and storing goods or commodities that are sold or traded in interstate commerce.

(b) In accordance with K.S.A. 19-4904, and amendments thereto, a redevelopment authority may file a request for exemption under the provisions of this section pursuant to K.S.A. 79-213, and amendments thereto, only with approval of the board of county commissioners by resolution.

(c) An exemption from ad valorem taxes granted pursuant to subsection (a) shall be in effect for not more than 10 calendar years after the calendar year in which the business commences its operations or the calendar year in which the expansion of an existing business is completed, as the case may be.

(d) This section is adopted pursuant to section 13(d) of article 11 of the constitution of the state of Kansas, and shall be part of and supplemental to article 2 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 2. K.S.A. 2016 Supp. 12-187 is hereby amended to read as follows: 12-187.

(a) No city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and

held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within such county which contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within such county which levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence

on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in

Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) The board of county commissioners of Clay, Dickinson and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay and Dickinson county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county

submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) The board of county commissioners of Cowley, Crawford, Russell and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford, Russell and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom as follows: 50% of such revenues for the purpose of financing for economic development initiatives; and 50% of such revenues for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after seven years from the date such tax is first collected. The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% which such tax shall take effect after the expiration of the tax imposed pursuant to this paragraph prior to the effective date of this act, and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging

the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabaunsee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention

center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the

costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within each of such counties which contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within each of such counties which levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

Sec. 3. K.S.A. 2016 Supp. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward, Thomas or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%, the board of county commissioners of Atchison county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%;

the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

(i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;

(j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;

(k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;

(l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;

(m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;

(n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;

(o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;

(p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;

(q) the board of county commissioners of Jefferson county, for the purpose of

K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;

(r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;

(s) the board of county commissioners of Johnson county for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;

(t) the board of county commissioners of Wilson county for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;

(u) the board of county commissioners of Butler county for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;

(v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;

(w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;

(x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;

(y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;

(z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;

(aa) the board of county commissioners of Kingman county, for the purposes of K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage which is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%; ~~and~~

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%; ~~and~~

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local

sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax which exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 4. K.S.A. 2016 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner: (1) One-half of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible

property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and (2) one-half of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county. All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner: (A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and (B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows: (i) One-fourth shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; (ii) one-fourth shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and (iii) one-half shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad valorem property tax levy of any county or city district entity or subdivision shall be

included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30) ~~and~~ (31) and (32), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and amendments thereto. All such revenue collected under K.S.A. 74-8929, and

amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.

Sec. 5. K.S.A. 2016 Supp. 79-213 is hereby amended to read as follows: 79-213. (a) Any property owner requesting an exemption from the payment of ad valorem property taxes assessed, or to be assessed, against their property shall be required to file an initial request for exemption, on forms approved by the state board of tax appeals and provided by the county appraiser.

(b) The initial exemption request shall identify the property for which the exemption is requested and state, in detail, the legal and factual basis for the exemption claimed.

(c) The request for exemption shall be filed with the county appraiser of the county where such property is principally located.

(d) After a review of the exemption request, and after a preliminary examination of the facts as alleged, the county appraiser shall recommend that the exemption request either be granted or denied, and, if necessary, that a hearing be held. If a denial is recommended, a statement of the controlling facts and law relied upon shall be included on the form.

(e) The county appraiser, after making such written recommendation, shall file the request for exemption and the recommendations of the county appraiser with the state board of tax appeals. With regard to a request for exemption from property tax pursuant to the provisions of K.S.A. 79-201g and 82a-409, and amendments thereto, not filed with the board of tax appeals by the county appraiser on or before the effective date of this act, if the county appraiser recommends the exemption request be granted, the exemption shall be provided in the amount recommended by the county appraiser and the county appraiser shall not file the request for exemption and recommendations of the county appraiser with the state board of tax appeals. The county clerk or county assessor shall annually make such adjustment in the taxes levied against the real property as the owner may be entitled to receive under the provisions of K.S.A. 79-201g, and amendments thereto, as recommended by the county appraiser, beginning with the first period, following the date of issue of the certificate of completion on which taxes are regularly levied, and during the years which the landowner is entitled to such adjustment.

(f) Upon receipt of the request for exemption, the board shall docket the same and notify the applicant and the county appraiser of such fact.

(g) After examination of the request for exemption and the county appraiser's recommendation related thereto, the board may fix a time and place for hearing, and shall notify the applicant and the county appraiser of the time and place so fixed. A request for exemption pursuant to: (1) Section 13 of article 11 of the constitution of the state of Kansas; or (2) K.S.A. 79-201a Second, and amendments thereto, for property constructed or purchased, in whole or in part, with the proceeds of revenue bonds under the authority of K.S.A. 12-1740 ~~to through~~ 12-1749, ~~inclusive~~, and amendments thereto, prepared in accordance with instructions and assistance which shall be provided by the department of commerce, shall be deemed approved unless scheduled for hearing within 30 days after the date of receipt of all required information and data relating to the request for exemption, and such hearing shall be conducted within 90 days after such date. Such time periods shall be determined without regard to any extension or

continuance allowed to either party to such request. In any case where a party to such request for exemption requests a hearing thereon, the same shall be granted. Hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act. In all instances where the board sets a request for exemption for hearing, the county shall be represented by its county attorney or county counselor.

(h) Except as otherwise provided by subsection (g), in the event of a hearing, the same shall be originally set not later than 90 days after the filing of the request for exemption with the board.

(i) During the pendency of a request for exemption, no person, firm, unincorporated association, company or corporation charged with real estate or personal property taxes pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, on the tax books in the hands of the county treasurer shall be required to pay the tax from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon and the same becomes a final order. In the event that taxes have been assessed against the subject property, no interest shall accrue on any unpaid tax for the year or years in question nor shall the unpaid tax be considered delinquent from the date the request is filed with the county appraiser until the expiration of 30 days after the board issued its order thereon. In the event the board determines an application for exemption is without merit and filed in bad faith to delay the due date of the tax, the tax shall be considered delinquent as of the date the tax would have been due pursuant to K.S.A. 79-2004 and 79-2004a, and amendments thereto, and interest shall accrue as prescribed therein.

(j) In the event the board grants the initial request for exemption, the same shall be effective beginning with the date of first exempt use except that, with respect to property the construction of which commenced not to exceed 24 months prior to the date of first exempt use, the same shall be effective beginning with the date of commencement of construction.

(k) In conjunction with its authority to grant exemptions, the board shall have the authority to abate all unpaid taxes that have accrued from and since the effective date of the exemption. In the event that taxes have been paid during the period where the subject property has been determined to be exempt, the board shall have the authority to order a refund of taxes for the year immediately preceding the year in which the exemption application is filed in accordance with subsection (a).

(l) The provisions of this section shall not apply to: (1) Farm machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (2) personal property exempted from ad valorem taxation by K.S.A. 79-215, and amendments thereto; (3) wearing apparel, household goods and personal effects exempted from ad valorem taxation by K.S.A. 79-201c, and amendments thereto; (4) livestock; (5) all property exempted from ad valorem taxation by K.S.A. 79-201d, and amendments thereto; (6) merchants' and manufacturers' inventories exempted from ad valorem taxation by K.S.A. 79-201m, and amendments thereto; (7) grain exempted from ad valorem taxation by K.S.A. 79-201n, and amendments thereto; (8) property exempted from ad valorem taxation by K.S.A. 79-201a *Seventeenth*, and amendments thereto, including all property previously acquired by the secretary of transportation or a predecessor in interest, which is used in the administration, construction, maintenance or operation of the state system of highways. The secretary of transportation shall at the time of acquisition of property notify the county appraiser in the county in which the

property is located that the acquisition occurred and provide a legal description of the property acquired; (9) property exempted from ad valorem taxation by K.S.A. 79-201a Ninth, and amendments thereto, including all property previously acquired by the Kansas turnpike authority which is used in the administration, construction, maintenance or operation of the Kansas turnpike. The Kansas turnpike authority shall at the time of acquisition of property notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (10) aquaculture machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto. As used in this section, "aquaculture" has the same meaning ascribed thereto by K.S.A. 47-1901, and amendments thereto; (11) Christmas tree machinery and equipment exempted from ad valorem taxation by K.S.A. 79-201j, and amendments thereto; (12) property used exclusively by the state or any municipality or political subdivision of the state for right-of-way purposes. The state agency or the governing body of the municipality or political subdivision shall at the time of acquisition of property for right-of-way purposes notify the county appraiser in the county in which the property is located that the acquisition occurred and provide a legal description of the property acquired; (13) machinery, equipment, materials and supplies exempted from ad valorem taxation by K.S.A. 79-201w, and amendments thereto; (14) vehicles owned by the state or by any political or taxing subdivision thereof and used exclusively for governmental purposes; (15) property used for residential purposes which is exempted pursuant to K.S.A. 79-201x, and amendments thereto, from the property tax levied pursuant to K.S.A. 2016 Supp. 72-6470, and amendments thereto; (16) from and after July 1, 1998, vehicles which are owned by an organization having as one of its purposes the assistance by the provision of transit services to the elderly and to disabled persons and which are exempted pursuant to K.S.A. 79-201 Ninth, and amendments thereto; (17) from and after July 1, 1998, motor vehicles exempted from taxation by K.S.A. 79-5107(e), and amendments thereto; (18) commercial and industrial machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-223, and amendments thereto; (19) telecommunications machinery and equipment and railroad machinery and equipment exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-224, and amendments thereto; ~~and~~ (20) property exempted from property or ad valorem taxation by K.S.A. 2016 Supp. 79-234, and amendments thereto; (21) recreational vehicles exempted from property or ad valorem taxation by K.S.A. 79-5121(e), and amendments thereto; (22) property acquired by a land bank exempt from property or ad valorem taxation pursuant to K.S.A. 2016 Supp. 12-5909 or K.S.A. 19-26.111, and amendments thereto; and (23) property belonging exclusively to the United States and exempted from ad valorem taxation by K.S.A. 79-201a First, and amendments thereto, except that the provisions of this subsection (1)(23) shall not apply to any such property that the congress of the United States has expressly declared to be subject to state and local taxation.

(m) The provisions of this section shall apply to property exempt pursuant to the provisions of section 13 of article 11 of the constitution of the state of Kansas.

(n) The provisions of subsection (k) as amended by this act shall be applicable to all exemption applications filed in accordance with subsection (a) after December 31, 2001.

(o) No exemption authorized by K.S.A. 79-227, and amendments thereto, of

property from the payment of ad valorem property taxes assessed shall be granted unless the requesting property owner files an initial request for exemption pursuant to this section within two years of the date in which construction of a new qualifying pipeline property began. The provisions of this subsection shall be applicable to all requests for exemptions filed in accordance with subsection (a) after June 30, 2017.

Sec. 6. K.S.A. 2016 Supp. 79-3298 is hereby amended to read as follows: 79-3298.

(a) Every employer, payer, person or organization deducting and withholding tax shall remit the taxes and file returns in accordance with the following provisions:

(1) Whenever the total amount withheld exceeds \$100,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld in accordance with the following schedule: Each calendar month shall be divided into four remittance periods that end on the 7th, 15th, 21st and the last day of such month. If at the end of any one or all of such remittance periods the total undeposited taxes equal or exceed \$667, the taxes shall be remitted within three banking days. Saturdays, Sundays and legal holidays shall not be treated as banking days.

(2) Whenever the total amount withheld exceeds \$8,000 but does not exceed \$100,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld for wages paid during the first 15 days of any month on or before the 25th day of the month. The employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld for wages paid during the remainder of that month on or before the 10th day of the following month.

(3) Whenever the total amount withheld exceeds \$1,200 but does not exceed \$8,000 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld during any month on or before the 15th day of the following month.

(4) Whenever the total amount withheld exceeds \$200 but does not exceed \$1,200 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld in any calendar quarter on or before the 25th day of the first month following the end of that calendar quarter.

(5) Whenever the total amount withheld does not exceed \$200 in any calendar year, the employer, payer, person or organization deducting and withholding tax shall remit the taxes withheld during that year on or before January 25 of the following year.

(b) Each remittance required under the provisions of subsection (a) shall be accompanied by a Kansas withholding tax remittance form and shall be filed in the manner prescribed by the director, including electronic filing.

(c) Every employer, payer, person or organization deducting and withholding tax and making remittances pursuant to subsection (a) shall file a return on a form or in the format and shall file in the manner prescribed by the director, including electronic filing, for each calendar year on or before ~~the last day of February~~ January 31 of the following year.

(d) The excess of any remittance over the actual taxes withheld in any withholding period shall be credited against the liability for following withholding periods until exhausted. A refund shall be allowed in accordance with K.S.A. 79-32,105, and amendments thereto, where an overpayment cannot be adjusted by an offset against the liability for a subsequent withholding period.

(e) For purposes of determining filing requirements, determinations of amounts

withheld during a calendar year by employers, payers, persons or organizations deducting and withholding tax shall be made by the director upon the basis of amounts withheld by those employers, payers, persons or organizations during the preceding calendar year or by estimates in cases of employers, payers, persons or organizations having no previous withholding histories. The director is hereby authorized to modify the filing schedule for any employer, payer, person or organization deducting and withholding tax when it is apparent that the original determination was inaccurate.

(f) Whenever the director has cause to believe that money withheld by an employer, payer, person or organization deducting and withholding tax pursuant to this act may be converted, diverted, lost, or otherwise not timely paid in accordance with this section, the director shall have the power to require returns and payment from any such employer, payer, person or organization at any time at more frequent intervals than prescribed by this section in order to secure full payment to the state of all amounts withheld by such employer, payer, person or organization in accordance with this act.

Sec. 7. K.S.A. 2016 Supp. 79-3299 is hereby amended to read as follows: 79-3299.

(a) Every employer, payer, person or organization deducting and withholding tax, on or before January 31 of each year, shall prepare a statement for each employee or payee on a form prescribed by the director stating the amount of wages or payments other than wages subject to Kansas income tax paid during the preceding year, the total amount of tax withheld, if any, from such wages or payments other than wages by the employer, payer, person or organization pursuant to this act and such other information as may be prescribed by the director. One copy of such statement shall be filed by the employer, payer, person or organization with the division of taxation on or before ~~the last day of February~~ January 31 of each year. Except as otherwise provided, if the employer, payer, person or organization files statements which report such withholding information for 51 or more employees or payees, the statements shall be filed by electronic means. If filing such statements by electronic means would be a hardship for any such employer, payer, person or organization, the secretary may permit such statements to be filed other than by electronic means. Two copies of such statement shall be given to the employee or payee concerned, one of which will be filed by the employee or payee with the tax return required by this chapter.

(b) In the case of an employee whose employment is terminated before the end of a calendar year, the statement required by subsection (a) may be mailed at the time provided in that subsection to the last known address of the employee, or issued at the time of the last payment to the employee, at the employer's option.

(c) Any employer, payer, person or organization deducting and withholding tax who intentionally fails to furnish a statement to an employee or payee as required under the provisions of subsections (a) and (b) shall be guilty of a nonperson misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$100 for each such offense.

(d) The annual statement of wages and salaries paid and amount withheld required by this section shall be in lieu of the annual information return required under K.S.A. 79-3222, and amendments thereto.

Sec. 8. K.S.A. 2016 Supp. 79-3602 is hereby amended to read as follows: 79-3602. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the ~~North Central Association of Colleges and Schools~~ higher learning commission, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and

conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" does not include alcoholic beverages or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property which is necessary or essential to, and which is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale which are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and which is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization which makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include: (1) Any sale by a bank, savings and loan

institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property which has been repossessed by any such entity; and (2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include: (A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer or possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or

establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or which certifies a levy to a municipality, agency or subdivision of the state which is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property which is essential or necessary to and which is used in the actual process of and consumed, depleted or dissipated within one year in: (1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property; (2) the providing of services; (3) the irrigation of crops, for sale in the regular course of business; or (4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, which qualifies as property which is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants,

antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(D) delivery charges; and

(E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; and

(E) commencing on July 1, 2006, and ending on June 30, 2009, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 2016 Supp. 79-3670 through 79-3673, K.S.A. 12-191 and 12-191a, and amendments thereto, which shall apply to identify and determine the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall

not be considered an entity-based exemption.

(tt) "Over-the-counter" drug means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes: (1) A drug facts panel; or (2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions, conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such

services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

Sec. 9. On and after January 1, 2018, K.S.A. 2016 Supp. 79-3607 is hereby amended to read as follows: 79-3607. (a) Retailers shall make returns to the director at the times prescribed by this section in the manner prescribed by the director, including electronic filing, upon forms or format prescribed by the director stating: (1) The name and address of the retailer; (2) the total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made; (3) the total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made; (4) deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales; (5) receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made; (6) receipts during the period for which the return is made from charge and time sales of tangible personal

property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made; (7) gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed. The return shall include such other pertinent information as the director may require. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by the retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under ~~subdivision paragraph~~ (4) of this section in case the retailer has theretofore included the receipts from such sale in a return made by such retailer and paid taxes therein imposed by this act. The retailer shall, at the time of making such return, pay to the director the amount of tax herein imposed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this act for any period not to exceed 60 days under such rules and regulations as the secretary of revenue may prescribe. When the total tax for which any retailer is liable under this act, does not exceed the sum of ~~\$80~~ \$400 in any calendar year, the retailer shall file an annual return on or before January 25 of the following year. When the total tax liability does not exceed ~~\$3,200~~ \$4,000 in any calendar year, the retailer shall file returns quarterly on or before the 25th day of the month following the end of each calendar quarter. When the total tax liability exceeds ~~\$3,200~~ \$4,000 in any calendar year, the retailer shall file a return for each month on or before the 25th day of the following month. When the total tax liability exceeds ~~\$32,000~~ \$40,000 in any calendar year, the retailer shall be required to pay the sales tax liability for the first 15 days of each month to the director on or before the 25th day of that month. Any such payment shall accompany the return filed for the preceding month. A retailer will be considered to have complied with the requirements to pay the first 15 days' liability for any month if, on or before the 25th day of that month, the retailer paid 90% of the liability for that fifteen-day period, or 50% of such retailer's liability in the immediate preceding calendar year for the same month as the month in which the fifteen-day period occurs computed at the rate applicable in the month in which the fifteen-day period occurs, and, in either case, paid any underpayment with the payment required on or before the 25th day of the following month. Such retailers shall pay their sales tax liabilities for the remainder of each such month at the time of filing the return for such month. Determinations of amounts of liability in a calendar year for purposes of determining filing requirements shall be made by the director upon the basis of amounts of liability by those retailers during the preceding calendar year or by estimates in cases of retailers having no previous sales tax histories. The director is hereby authorized to modify the filing schedule for any retailer when it is apparent that the original determination was inaccurate.

(b) All model 1, model 2 and model 3 sellers are required to file returns electronically. Any model 1, model 2 or model 3 seller may submit its sales and use tax returns in a simplified format approved by the director. Any seller that is registered under the agreement, which does not have a legal requirement to register in this state, and is not a model 1, model 2 or model 3 seller, may submit its sales and use tax returns

as follows: (1) Upon registration, the director shall provide to the seller the returns required;

(2) seller shall file a return anytime within one year of the month of initial registration, and future returns are required on an annual basis in succeeding years; and

(3) in addition to the returns required in subsection (b)(2), sellers are required to submit returns in the month following any month in which they have accumulated state and local sales tax funds for this state in the amount of \$1,600 or more.

Sec. 10. K.S.A. 2016 Supp. 12-187, 12-189, 12-192, 79-213, 79-3298, 79-3299 and 79-3602 are hereby repealed.

Sec. 11. On and after January 1, 2018, K.S.A. 2016 Supp. 79-3607 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking all before the period and inserting "taxation; relating to property tax exemptions, property owned by a redevelopment authority and located in a redevelopment district within a former federal enclave, allowing county appraisers to exempt certain property without order from the board of tax appeals, time limitations for filing request for exemption for certain qualifying pipeline property; sales and compensating use tax, city and county retailers' sales tax, Marion county, definitions, time for payment of tax; income taxation, reporting requirements, dates; amending K.S.A. 2016 Supp. 12-187, 12-189, 12-192, 79-213, 79-3298, 79-3299, 79-3602 and 79-3607 and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

CARYN TYSON
DON KERSCHEN
TOM HOLLAND

Conferees on part of Senate

STEVEN C. JOHNSON
TOM PHILLIPS
TOM SAWYER

Conferees on part of House

On motion of Rep. Johnson, the conference committee report on **HB 2212** was adopted.

On roll call, the vote was: Yeas 106; Nays 6; Present but not voting: 0; Absent or not voting: 12.

Yeas: Alcalá, Alford, Awerkamp, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, S., Curtis, Deere, Delpendang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, S. Swanson, Tarwater,

Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, C., Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Burris, B. Carpenter, Esau, Jacobs, K. Jones, R. Powell.

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Barker, E. Davis, Garber, Huebert, Humphries, Landwehr, Pittman, Ruiz, Sloan, Whitmer.

MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Sutton, the House concurred in Senate amendments to **HB 2407**, AN ACT concerning real estate; relating to duties of the attorney general and the secretary of administration; authorizing the department of wildlife, parks and tourism to purchase land in Sherman county.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 93; Nays 20; Present but not voting: 0; Absent or not voting: 11.

Yeas: Alcalá, Alford, Baker, Ballard, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carmichael, Claeys, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, Deere, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hawkins, Helgerson, Henderson, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thompson, Trimmer, Victors, Ward, Waymaster, Weigel, Wheeler, Whipple, K. Williams, Wilson, Winn, Wolfe Moore.

Nays: Averkamp, Burris, Carlin, B. Carpenter, Corbet, Garber, Hibbard, Highland, Hoffman, Houser, Jacobs, K. Jones, Mason, Osterman, R. Powell, Seiwert, Sutton, Thimesch, Vickrey, Weber, C..

Present but not voting: None.

Absent or not voting: Arnberger, Aurand, Barker, E. Davis, Huebert, Humphries, Landwehr, Pittman, Ruiz, Sloan, Whitmer.

Speaker Ryckman assumed the chair.

MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **S Sub for HB 2002**.

INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hineman, Joint Rule 3(f), regarding the distribution of conference committee reports, was suspended for the purpose of considering **S Sub for HB 2002**.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **HB 2002** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed with Senate Committee of the Whole amendments, as follows:

On page 1, by striking all in lines 15 through 36;

By striking all on pages 2 through 34;

On page 35, by striking all in lines 1 through 36; following line 36 by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) The provisions of this act relating to fiscal year 2018 shall be known and may be cited as the omnibus appropriation act of 2017 and shall constitute the omnibus reconciliation spending limit bill for the 2017 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2. (a) The department of corrections is hereby authorized and directed to pay the following amounts from the El Dorado correctional facility – facilities operations account of the state general fund for property lost to the following claimants:

Ruben Warledo #86346
P.O. Box 311
El Dorado, KS 67042\$76.95

Thomas L. Wilson #70525
P.O. Box 311
El Dorado, KS 67042\$24.08

(b) The department of corrections is hereby authorized and directed to pay the following amounts from the Hutchinson correctional facility – facilities operations account of the state general fund for property lost to the following claimants:

Ronnell Burnett #100905
P.O. Box 1568
Hutchinson, KS 67504\$24.50

Joshua Alexander Duque #99972
P.O. Box 1568
Hutchinson, KS 67504\$82.16

Christopher Forbush-Willis
P.O. Box 311
El Dorado, KS 67042\$75.73

(c) The department of corrections is hereby authorized and directed to pay the following amounts from the Lansing correctional facility – facilities operations account of the state general fund for property lost to the following claimants:

Matthew Campbell #6010477
P.O. Box 2
Lansing, KS 66043\$36.38

Micky Don Owens #94516
P.O. Box 2
Lansing, KS 66043\$63.14

J&N Ranch, L.L.C.
25332 Wolcott Road
Leavenworth, Kansas 66048.....\$23,735

(d) The department of corrections is hereby authorized and directed to pay the following amount from the Larned correctional mental health facility – facilities operations account of the state general fund for property lost to the following claimant:

Darwin Enloe #54505
1318 Highway 264
Larned, KS 67550\$7.90

Sec. 3. There is hereby appropriated from the state general fund, as reimbursement for legal costs incurred for sexually violent predator proceedings, the following amount to the following claimant:

County Treasurer
Barton County
1400 Main Street
Great Bend, KS 67530\$22,166.36

Sec. 4. The University of Kansas is hereby authorized and directed to pay the following amount from the state general fund the operating line item for reimbursement of money diverted from the payroll account of a faculty member by a computer hacker to the following claimant:

Paulette Spencer
7802 N.W. Sunset Dr.
Parkville, MO 64152\$3,074.87

Sec. 5. The Kansas public employees retirement system is hereby authorized and directed to pay the following amount from the Kansas public employees retirement fund No. 7002 to a former employee of the unified government of Wyandotte county/Kansas City, Kansas for reimbursement of a contribution to the following claimant:

Pearl Durham
1490 7th Street N.W. #309
Washington, D.C. 20001\$44.27

Sec. 6. (a) On July 1, 2017, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Roeland Park was owed for tax increment financing reimbursements to the following claimant for a five-year period from 2010 through 2014:

City Treasurer
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205\$27,767.60

(b) On July 1, 2018, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Roeland Park was owed for tax increment financing reimbursements to the following claimant for a five-year period from 2010 through 2014:

City Treasurer
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205\$27,767.60

(c) On July 1, 2019, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Roeland Park was owed for tax increment financing reimbursements to the following claimant for a five-year period from 2010 through 2014:

City Treasurer
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205\$27,767.60

(d) On July 1, 2020, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Roeland Park was owed for tax increment financing reimbursements to the following claimant for a five-year period from 2010 through 2014:

City Treasurer
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205\$27,767.60

(e) On July 1, 2021, there is hereby appropriated from the state general fund for errors in the amount of reimbursement the city of Roeland Park was owed for tax increment financing reimbursements to the following claimant for a five-year period from 2010 through 2014:

City Treasurer
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205\$27,767.60

Sec. 7. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund, for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

James D. Jones
 25761 Limit Rd.
 Winchester, KS 66097\$377.14

Patrick R. Leonard
 14655 S. Moonlight Rd.
 Olathe, KS 66061\$52.44

Peterson Farm & Livestock Inc.
 1339 E. Rose Hill Rd.
 Assaria, KS 67416\$118.20

Rawlin County Hwy Department
 12303 Hwy 25
 Atwood, KS 67730\$1,744.70

Jimmy A. Smith
 12049 S.W. 180th
 Rose Hill, KS 67133\$53.40

U.S.D. 113 Prairie Hills
 1619 S. Old Hwy 75
 Sabetha, KS 66534\$1,416.02

U.S.D. 234 Fort Scott
 424 Main St.
 Ft. Scott, KS 66701\$5,235.52

U.S.D. 247 Cherokee
 506 S. Smelter
 Cherokee, KS 66724\$187.90

U.S.D. 267 Renwick
 P.O. Box 68
 Andale, KS 67001\$3,741.43

Wildcat Concrete Serv. Inc.
 P.O. Box 750075
 Topeka, KS 66675\$83.84

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in this act, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 7, and amendments thereto, as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by sections 2 through 7 of this act, and amendments thereto, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Abstracters' fee fund (016-00-2700-0100)	
For the fiscal year ending June 30, 2018.....	\$26,103
For the fiscal year ending June 30, 2019.....	\$25,702

Sec. 10.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of accountancy fee fund (028-00-2701-0100)	
For the fiscal year ending June 30, 2018.....	\$383,151

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,200.

For the fiscal year ending June 30, 2019.....	\$387,029
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Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,200.

Special litigation reserve fund (028-00-2715-2700)	
For the fiscal year ending June 30, 2018.....	No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2019.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2018, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2018, shall not exceed \$15,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2019, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2019, shall not exceed \$15,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 11.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund (094-00-2811)
For the fiscal year ending June 30, 2018.....\$11,036,122

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2018, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2018, for official hospitality for the division of banking shall not exceed \$1,000: *And provided further*, That during the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the bank commissioner fee fund for fiscal year 2018 by the above agency by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such fund to pay attorney fees and litigation costs in an amount not to exceed \$76,650.

For the fiscal year ending June 30, 2019.....\$11,501,770

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2019, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2019, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund (094-00-2013-1010)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Consumer education settlement fund (094-00-2560-2500)
For the fiscal year ending June 30, 2018.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2018, for consumer education purposes, which may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2019.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2019, for consumer education purposes, which

may be in accordance with contracts for such activities which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund (094-00-2499-2499)
For the fiscal year ending June 30, 2018.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2018, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2018, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

For the fiscal year ending June 30, 2019.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2019, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2019, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

(b) During the fiscal years ending June 30, 2018, and June 30, 2019, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the credit of the consumer education settlement fund (094-00-2560-2500).

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$534,517 from the state general fund to the bank commissioner fee fund (094-00-2811) of the state bank commissioner.

Sec. 12.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of barbering fee fund (100-00-2704-0100)
For the fiscal year ending June 30, 2018.....\$187,347

Provided, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2019.....\$187,070

Provided, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$500.

Sec. 13.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Behavioral sciences regulatory board fee fund (102-00-2730-0100)
For the fiscal year ending June 30, 2018.....\$755,552

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,000:

Provided further, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2018, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2018.

For the fiscal year ending June 30, 2019.....\$773,229

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,000:

Provided further, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2019, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2019.

Sec. 14.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Healing arts fee fund (105-00-2705-0100)
For the fiscal year ending June 30, 2018.....\$5,257,316

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2018, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2018.

For the fiscal year ending June 30, 2019.....\$5,380,778

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2019, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2019.

Medical records maintenance trust fund (105-00-7206-7200)
For the fiscal year ending June 30, 2018.....\$35,000
For the fiscal year ending June 30, 2019.....\$35,000

Sec. 15.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Cosmetology fee fund (149-00-2706-0100)
For the fiscal year ending June 30, 2018.....\$1,005,815

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2019.....\$1,008,870

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$2,000.

Sec. 16.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit union fee fund (159-00-2026-0100)
For the fiscal year ending June 30, 2018.....\$1,186,661

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2019.....\$1,211,609

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$300.

Sec. 17.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dental board fee fund (167-00-2708-0100)
For the fiscal year ending June 30, 2018.....\$415,280

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2019..... \$420,000

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$500.

Special litigation reserve fund (167-00-2749-2000)
For the fiscal year ending June 30, 2018.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure,

and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2019.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2018, the executive director of the Kansas dental board, with the approval of the director of the budget, may transfer moneys from the dental board fee fund (167-00-2708-0100) to the special litigation reserve fund (167-00-2749-2000) of the Kansas dental board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2018, shall not exceed \$50,000: *Provided further*, That the executive director of the Kansas dental board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 18.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mortuary arts fee fund (204-00-2709-0100)	
For the fiscal year ending June 30, 2018.....	\$292,846
For the fiscal year ending June 30, 2019.....	\$321,958

Sec. 19.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Hearing instrument board fee fund (266-00-2712-9900)	
For the fiscal year ending June 30, 2018.....	\$27,043
For the fiscal year ending June 30, 2019.....	\$26,290

Hearing instrument litigation fund (266-00-2136-2136)	
For the fiscal year ending June 30, 2018.....	No limit

Provided, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2019.....	No limit
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Provided, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 20.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of nursing fee fund (482-00-2716-0200)	
For the fiscal year ending June 30, 2018.....	\$2,541,423

Provided, That expenditures from the board of nursing fee fund for the fiscal year

ending June 30, 2018, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2019.....\$2,594,467

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$500.

Gifts and grants fund (482-00-7346-4000)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Education conference fund (482-00-2209-0100)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Criminal background and fingerprinting fund (482-00-2745-2700)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Sec. 21.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry fee fund (488-00-2717-0100)
For the fiscal year ending June 30, 2018.....\$161,360

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$600.

For the fiscal year ending June 30, 2019.....\$162,369

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$600.

Optometry litigation fund (488-00-2547-2547)
For the fiscal year ending June 30, 2018.....No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable

effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2019.....No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Criminal history fingerprinting fund (488-00-2565-2565)

For the fiscal year ending June 30, 2018.....No limit

For the fiscal year ending June 30, 2019.....No limit

(b) During the fiscal year ending June 30, 2018, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund (488-00-2717-0100) to the optometry litigation fund (488-00-2547-2547) of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2018, shall not exceed \$50,000: *Provided further*, That the executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2019, the executive officer of the board of examiners in optometry, with the approval of the director of the budget, may transfer moneys from the optometry fee fund (488-00-2717-0100) to the optometry litigation fund (488-00-2547-2547) of the board of examiners in optometry: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2019, shall not exceed \$50,000: *Provided further*, That the executive officer of the board of examiners in optometry shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 22.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State board of pharmacy fee fund (531-00-2718-0100)
For the fiscal year ending June 30, 2018.....\$1,435,882

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,500.

For the fiscal year ending June 30, 2019.....\$1,468,285

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,500.

State board of pharmacy litigation fund (531-00-2733-2700)
For the fiscal year ending June 30, 2018.....No limit

Provided, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2019.....No limit

Provided, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Non-federal gifts and grants fund (531-00-7018-7000)
 For the fiscal year ending June 30, 2018.....No limit

Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2018: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2018 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2019.....No limit

Provided, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2019: *Provided, however*, That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*, That all expenditures from the non-federal gifts and grants fund for fiscal year 2019 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

Prescription drug overdose data-driven prevention
 initiative – federal fund (531-00-3294-3294)
 For the fiscal year ending June 30, 2018.....No limit
 For the fiscal year ending June 30, 2019.....No limit

(b) During the fiscal year ending June 30, 2018, the executive secretary of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2018, shall not exceed \$50,000: *Provided further*, That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2019, the executive secretary of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys

from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2019, shall not exceed \$50,000: *Provided further*, That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the board of nursing: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the board of nursing fee fund (482-00-2716-0200) of the board of nursing to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive administrator of the board of nursing: *Provided, however*, That the aggregate amount of such transfers during fiscal year 2018 shall not exceed \$36,000.

(e) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the board of nursing: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the board of nursing fee fund (482-00-2716-0200) of the board of nursing to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive administrator of the board of nursing: *Provided, however*, That the aggregate amount of such transfers during fiscal year 2019 shall not exceed \$37,000.

(f) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the Kansas dental board: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the dental board fee fund (167-00-2708-0100) of the Kansas dental board to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive director of the Kansas dental board: *Provided*,

however; That the aggregate amount of such transfers during fiscal year 2018 shall not exceed \$18,000.

(g) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the Kansas dental board: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the dental board fee fund (167-00-2708-0100) of the Kansas dental board to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive director of the Kansas dental board: *Provided, however*; That the aggregate amount of such transfers during fiscal year 2019 shall not exceed \$18,000.

(h) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the state board of healing arts: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the healing arts fee fund (105-00-2705-0100) of the state board of healing arts to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*; That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive director of the state board of healing arts: *Provided, however*; That the aggregate amount of such transfers during fiscal year 2018 shall not exceed \$107,000.

(i) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the state board of healing arts: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the healing arts fee fund (105-00-2705-0100) of the state board of healing arts to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*; That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive director of the state board of healing arts: *Provided, however*; That the aggregate amount of such transfers during fiscal year 2019 shall not exceed \$109,500.

(j) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of

the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the board of examiners in optometry: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*; That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive officer of the board of examiners in optometry: *Provided, however*; That the aggregate amount of such transfers during fiscal year 2018 shall not exceed \$6,500.

(k) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 2016 Supp. 65-1681, and amendments thereto, that is attributable to licensees of the board of examiners in optometry: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*; That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive officer of the board of examiners in optometry: *Provided, however*; That the aggregate amount of such transfers during fiscal year 2018 shall not exceed \$6,500.

Sec. 23.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Appraiser fee fund (543-00-2732-0100)
For the fiscal year ending June 30, 2018.....\$158,714

Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2019.....\$160,467

Provided, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$500.

Federal registry clearing fund (543-00-7752-7000)
For the fiscal year ending June 30, 2018.....No limit

For the fiscal year ending June 30, 2019.....No limit

AMC federal registry clearing fund (543-00-7755-7755)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Appraisal management companies fee fund (543-00-2138-2138)
For the fiscal year ending June 30, 2018.....\$158,713
For the fiscal year ending June 30, 2019.....\$160,467

Sec. 24.

KANSAS REAL ESTATE COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund (549-00-2721-0100)
For the fiscal year ending June 30, 2018.....\$1,183,621

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,000: *Provided further*; That during the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the real estate commission fee fund for fiscal year 2018 by the above agency by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from such fund to pay attorney fees and litigation costs in an amount not to exceed \$28,350.

For the fiscal year ending June 30, 2019.....\$1,149,233

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,000.

Real estate recovery revolving fund (549-00-7368-4200)
For the fiscal year ending June 30, 2018.....No limit
For the fiscal year ending June 30, 2019.....No limit

Background investigation fee fund (549-00-2722-2700)
For the fiscal year ending June 30, 2018.....No limit

Provided, That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history

record check shall be deposited in the state treasury and credited to the background investigation fee fund.

For the fiscal year ending June 30, 2019.....No limit

Provided, That notwithstanding the provisions of K.S.A. 58-3039, and amendments thereto, or any other statute, moneys collected for the purpose of reimbursing the Kansas real estate commission for the cost of fingerprinting and the criminal history record check shall be deposited in the state treasury and credited to the background investigation fee fund.

(b) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$195,671 from the state general fund to the real estate fee fund (549-00-2721-0100) of the Kansas real estate commission.

Sec. 25.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund (663-00-2729-0100)
For the fiscal year ending June 30, 2018.....\$714,864

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2019.....\$754,388

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund (663-00-2739-0200)
For the fiscal year ending June 30, 2018.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2018, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above

agency.

For the fiscal year ending June 30, 2019.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2019, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal which bears a valid relationship to powers and functions of the above agency.

Sec. 26.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Veterinary examiners fee fund (700-00-2727-1100)	
For the fiscal year ending June 30, 2018.....	\$348,480
For the fiscal year ending June 30, 2019.....	\$356,987

Sec. 27.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (247-00-1000-0103)	
For the fiscal year ending June 30, 2018.....	\$369,715

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2019, is hereby reappropriated for fiscal year 2018.

For the fiscal year ending June 30, 2019.....\$372,176

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully

credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Governmental ethics commission fee fund (247-00-2188-2000)	
For the fiscal year ending June 30, 2018.....	\$252,890
For the fiscal year ending June 30, 2019.....	\$263,951

Sec. 28.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Legislative coordinating council – operations (422-00-1000-0100).....	\$537,812
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Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That notwithstanding the provisions of K.S.A. 75-3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2018 for the designation and identification of room 221-E of the state capitol building as a meditation room.

Legislative research department – operations (425-00-1000-0103).....	\$3,530,974
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Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Office of revisor of statutes – operations (579-00-1000-0103).....	\$3,062,451
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Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Child welfare system task force.....	\$200,000
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Provided, That expenditures may be made by the above agency from the child welfare system task force account to procure the services of an organization to facilitate and organize meetings of the child welfare system task force and to pay travel expenses for child welfare system task force members attending meetings authorized by such task force: *Provided, however*, That, as a prerequisite for making such expenditures, the secretary for children and families shall certify to the legislative coordinating council

that the Kansas department for children and families has attempted in good faith to procure such services at no monetary cost: *And provided, however,* That, if 2017 House Substitute for Senate Bill No. 126, or any other legislation that establishes a child welfare system task force, is not passed by the legislature during the 2017 regular session and enacted into law, then on July 1, 2017, all moneys in the child welfare system task force account are hereby lapsed: *Provided further,* That, if such lapse occurs, then on July 1, 2017, or as soon thereafter as such lapse occurs, the director of accounts and reports shall transfer \$200,000 from the state general fund to the Kansas endowment for youth fund (365-00-7000-2000) of the Kansas public employees retirement system.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund (425-00-2111-2000).....No limit

Sec. 29.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Legislative coordinating council – operations (422-00-1000-0100).....\$551,703

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further,* That notwithstanding the provisions of K.S.A. 75-3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2019 for the designation and identification of room 221-E of the state capitol building as a meditation room.

Legislative research department – operations (425-00-1000-0103).....\$3,600,397

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Office of revisor of statutes – operations (579-00-1000-0103).....\$3,113,893

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in the following account is hereby reappropriated for fiscal year 2019: Child welfare system task force.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special revenue fund (425-00-2111-2000).....No limit

Sec. 30.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Operations (including official hospitality) (428-00-1000-0103).....\$500,000

Sec. 31.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operations (including official hospitality) (428-00-1000-0103).....\$13,835,337

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that

organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2018 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2018: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2018: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2018: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2018: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information
 system (428-00-1000-0300).....\$5,012,249

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund (428-00-2260-2200).....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2018 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2018: *And provided*

further; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2018: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2018: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2018.

Capitol restoration – gifts and
 donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol restoration commission, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 32.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operations (including official
 hospitality) (428-00-1000-0103).....\$14,323,692

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission

on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*; That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*; That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2019 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*; That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*; That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*; That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative

coordinating council: *And provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the operations (including official hospitality) account of the state general fund for fiscal year 2019 for the director of legislative administrative services, under the direction of the legislative coordinating council, to administer and supervise the live streaming of legislative proceedings in an amount not to exceed \$247,399: *And provided further*, That in providing such live streaming, the director shall work in cooperation with the information network of Kansas, inc., created by K.S.A. 74-9303, and amendments thereto, which shall provide any services and equipment that the director and the board of the information network of Kansas, inc., have agreed upon and that the director determines to be necessary for the provision of such live streaming.

Legislative information system (428-00-1000-0300).....\$5,042,368

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund (428-00-2260-2200).....No limit

Provided, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the

council: *And provided further*; That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*; That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*; That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2019 unless such meeting is approved by the legislative coordinating council: *And provided further*; That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2019: *And provided further*; That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2019.

Capitol restoration – gifts and
 donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol restoration commission, redistricting advisory group, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature

for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 33.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$2,467,048

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund (540-00-9204-9000).....No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*, That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund (540-00-2416-2000).....No limit

State agency audits fund (540-00-2200-2100).....No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2018, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2018, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2017 regular session of the legislature to pay for any monumental building surcharge charged by the department of administration or any other state agency. During the fiscal year ending June 30, 2018, the above agency shall not be liable to pay and shall be exempt from such surcharge.

Sec. 34.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$2,499,604

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Audit services fund (540-00-9204-9000).....No limit

Provided, That the division of post audit is hereby authorized to fix, charge and collect fees for copies of public records of the division, including distribution of such copies: *Provided further*; That such fees shall be fixed to recover all or part of the expenses incurred for reproducing and distributing such copies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the audit services fund.

Conversion of materials and equipment fund (540-00-2416-2000).....No limit

State agency audits fund (540-00-2200-2100).....No limit

(c) Notwithstanding the provisions of any statute, during the fiscal year ending June 30, 2019, the above agency shall not expend any moneys appropriated for the fiscal year ending June 30, 2019, from the state general fund or in any special revenue fund or funds for such state agency by this or other appropriation act of the 2017 or 2018 regular session of the legislature to pay for any monumental building surcharge charged by the department of administration or any other state agency. During the fiscal year ending June 30, 2019, the above agency shall not be liable to pay and shall be exempt from such surcharge.

Sec. 35.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Governor's department (252-00-1000-0503).....\$2,182,242

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor: *And provided further*; That any unencumbered balance in the lieutenant governor – operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018 to the governor's department account.

Domestic violence prevention grants (252-00-1000-0600).....\$4,608,551

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....\$800,398

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2018, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2018, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149-2000).....No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Lieutenant governor special programs fund (446-00-2940-2010).....No limit

Provided, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*; That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the lieutenant governor special program fund.

Hispanic and Latino American affairs fee fund (252-00-2627-2600).....No limit

Miscellaneous projects fund (252-00-6168-6050).....No limit

Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund (252-00-6161-6000).....No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund (252-00-2409-0400).....No limit

Federal grants fund (252-00-3050-3050).....No limit

Justice assistance grant – federal fund (252-00-3125-3200).....No limit

Hispanic and Latino American affairs commission – donations fund (252-00-7236-7200).....No limit

Advisory commission on African-American affairs – donations fund (252-00-7242-7210).....No limit

Kansas commission on disability concerns fee fund (252-00-2767-2700).....No limit

Kansas commission on disability concerns – gifts, grants and donations fund (252-00-2767-2705).....No limit

Domestic violence grants fund (252-00-2014-2014).....No limit

Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund (252-00-2024-2024).....No limit

Residential substance abuse – federal fund (252-00-3006-3011).....No limit

Arrest grant – federal fund (252-00-3082-3040).....	No limit
National criminal history improvement program – federal fund (252-00-3189-3192).....	No limit
Violence against women grant – federal fund (252-00-3214-3211).....	No limit
Coverdell forensic science improvement – federal fund (252-00-3227-3232).....	No limit
State victim assistance – federal fund (252-00-3250-3250).....	No limit
Crime victim assistance – federal fund (252-00-3260-3260).....	No limit
Access visitation grant – federal fund (252-00-3460-3474).....	No limit
Battered women/family violence prevention – federal fund (252-00-3461-3461).....	No limit
Sexual assault services program – federal fund (252-00-3465-3465).....	No limit
Edward Byrne justice assistance grants – federal fund (252-00-3757-3758).....	No limit
Prison rape elimination act – federal fund (252-00-3758-3756).....	No limit
John R Justice grant – federal fund (252-00-3802-3804).....	No limit

(e) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the domestic violence grants fund (252-00-2014-2014) of the governor's department.

(f) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the child advocacy centers grants fund (252-00-2024-2024) of the governor's department.

(g) During fiscal year 2018, if the state of Kansas has a newly appointed lieutenant governor, then on the effective date of such appointment, of the \$2,182,242 appropriated for the above agency for the fiscal year ending June 30, 2018, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503), an amount equal to any amount paid in excess of \$1,204.35 per biweekly pay period multiplied by the number of biweekly pay periods remaining in fiscal year 2018 is hereby lapsed: *Provided*, That the compensation paid to such newly appointed lieutenant governor shall not exceed the amount in K.S.A. 75-3103(a), and amendments thereto.

Sec. 36.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2019, the following:

Governor's department (252-00-1000-0503).....\$2,182,036

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence prevention grants (252-00-1000-0600).....\$4,611,457

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....\$801,041

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2019, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2019, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149-2000).....No limit

Provided, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*, That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Lieutenant governor special programs fund (446-00-2940-2010).....No limit

Provided, That expenditures may be made from the lieutenant governor special programs fund for operating expenditures for the lieutenant governor, including conferences and official hospitality: *Provided further*, That the lieutenant governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*, That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*, That all fees received for such conferences and all fees received by the lieutenant governor under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the lieutenant governor special program fund.

Hispanic and Latino American affairs fee fund (252-00-2627-2600).....No limit

Miscellaneous projects fund (252-00-6168-6050).....No limit

Provided, That expenditures may be made from the miscellaneous projects fund for operating expenditures for the governor's department, including conferences and official

hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences and all fees received by the governor's department under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the miscellaneous projects fund.

Intragovernmental service fund (252-00-6161-6000).....No limit

Provided, That expenditures may be made from the intragovernmental service fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the intragovernmental service fund.

Conversion of materials and equipment fund (252-00-2409-0400).....No limit

Federal grants fund (252-00-3050-3050).....No limit

Justice assistance grant – federal fund (252-00-3125-3200).....No limit

Hispanic and Latino American affairs commission – donations fund (252-00-7236-7200).....No limit

Advisory commission on African-American affairs – donations fund (252-00-7242-7210).....No limit

Kansas commission on disability concerns fee fund (252-00-2767-2700).....No limit

Kansas commission on disability concerns – gifts, grants and donations fund (252-00-2767-2705).....No limit

Domestic violence grants fund (252-00-2014-2014).....No limit

Provided, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers
grant fund (252-00-2024-2024).....No limit

Residential substance abuse –
federal fund (252-00-3006-3011).....No limit

Arrest grant – federal fund (252-00-3082-3040).....No limit

National criminal history
improvement program –
federal fund (252-00-3189-3192).....No limit

Violence against women grant –
federal fund (252-00-3214-3211).....No limit

Coverdell forensic science
improvement – federal
fund (252-00-3227-3232).....No limit

State victim assistance –
federal fund (252-00-3250-3250).....No limit

Crime victim assistance –
federal fund (252-00-3260-3260).....No limit

Access visitation grant –
federal fund (252-00-3460-3474).....No limit

Battered women/family
violence prevention –
federal fund (252-00-3461-3461).....No limit

Sexual assault services program –
federal fund (252-00-3465-3465).....No limit

Edward Byrne justice
assistance grants –
federal fund (252-00-3757-3758).....No limit

Prison rape elimination act – federal fund (252-00-3758-3756).....No limit

John R Justice grant – federal fund (252-00-3802-3804).....No limit

(e) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,343 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the domestic violence grants fund (252-00-2014-2014) of the governor's department.

(f) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$33,348 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the child advocacy centers grants fund (252-00-2024-2024) of the governor's department.

(g) During fiscal year 2019, if the state of Kansas has a newly appointed lieutenant governor, then on the effective date of such appointment, of the \$2,182,036 appropriated for the above agency for the fiscal year ending June 30, 2019, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503), an amount equal to any amount paid in excess of \$1,204.35 per biweekly pay period multiplied by the number of biweekly pay periods remaining in fiscal year 2019 is hereby lapsed: *Provided*, That the compensation paid to such newly appointed lieutenant governor shall not exceed the amount in K.S.A. 75-3103(a), and amendments thereto.

Sec. 37.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (082-00-1000).....\$5,216,867

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....\$78,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$121,197

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit

account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....	\$75,000
Child exchange and visitation centers (082-00-1000-0450).....	\$128,000

Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....	\$519,000
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....	No limit
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Court cost fund (082-00-2012-2000).....	No limit
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Bond transcript review fee fund (082-00-2254-2300).....	No limit
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Conversion of materials and equipment fund (082-00-2405-2040).....	No limit
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Attorney general's antitrust special revenue fund (082-00-2506-2050).....	No limit
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Private gifts fund (082-00-7300-7000).....	No limit
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Medicaid fraud reimbursement fund (082-00-9034-9040).....	No limit
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Medicaid fraud control unit (082-00-3060-3080).....	No limit
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Attorney general's antitrust
suspense fund (082-00-9002-9000).....No limit

Attorney general's consumer
protection clearing
fund (082-00-9003-9010).....No limit

Attorney general's committee on
crime prevention fee
fund (082-00-2113-2090).....No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....No limit

Crime victims compensation
fund (082-00-2563-2060).....No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$463,276: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance
fund (082-00-2598-2070).....No limit

Protection from abuse
fund (082-00-2239-2030)No limit

Crime victims grants and
gifts fund (082-00-7340-7010).....No limit

Provided, That all private grants and gifts received by the crime victims

compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund (082-00-2103-2103).....No limit

Debt collection administration cost recovery fund (082-00-2305-2240).....No limit

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund (082-00-2641-2280).....No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2016 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund (082-00-2311-2290).....No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....No limit

Children's advocacy center

fund (082-00-2654-2610).....No limit

Abuse, neglect and exploitation of people
with disabilities unit grant acceptance
fund (082-00-2482-2500).....No limit

Concealed weapon licensure
fund (082-00-2450-2400).....No limit

Tobacco master settlement agreement
compliance fund (082-00-2383-2320).....No limit

Sexually violent predator expense
fund (082-00-2379-2310).....No limit

County law enforcement equipment
fund (082-00-2470-2470).....No limit

Child exchange and visiting centers
fund (082-00-2579-2250).....No limit

Roofing contractor registration
fund (082-00-2774-2774).....No limit

State medicaid fraud control unit – federal
fund (082-00-3060-3060).....No limit

Com def sol – violence against women federal
fund (082-00-3082-3082).....No limit

Crime victims compensation federal
fund (082-00-3133-3020).....No limit

Ed Byrne state/local law enforcement
federal fund (082-00-3213-3213).....No limit

Violence against women – ARRA federal
fund (082-00-3214-3212).....No limit

Comm prsct/project safe neighborhood
federal fund (082-00-3217-3217).....No limit

Public safety prtnt/comm pol
fund (082-00-3218-3218).....No limit

Anti-gang initiative federal
fund (082-00-3229-3229).....No limit

Alcohol impaired driving cntrmsr
federal fund (082-00-3247-3247).....No limit

Children's justice grant federal
fund (082-00-3381-3381).....No limit

Ed Byrne memorial JAG – ARRA
federal fund (082-00-3455-3455).....No limit

Medicaid indirect cost federal
fund (082-00-3919-3919).....No limit

Federal forfeiture fund (082-00-3940-3940).....No limit

SSA fraud prevention federal
fund (082-00-2174-2175).....No limit

False claims litigation revolving
fund (082-00-2650-2600).....No limit

Provided, That expenditures may be made from the false claims litigation revolving
fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2016
Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund (252-00-3050-3065).....No limit

Ed Byrne memorial justice assistance grant
federal fund (352-00-3057-3057).....No limit

911 state maintenance fund (082-00-2747-2447).....No limit

DOT prohibit racial profiling (082-00-3566-3566).....No limit

Human trafficking victim assistance
fund (082-00-2775-2775).....No limit

Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents fee fund (082-00-2259-2259).....	No limit
Fraud and abuse criminal prosecution fund.....	No limit
Attorney general's state agency representation fund.....	No limit

(c) During the fiscal year ending June 30, 2018, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2018, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state general fund for the attorney general to another item of appropriation for fiscal year 2018 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(f) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(g) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the state general fund.

Sec. 38.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2019, the following:

Operating expenditures (082-00-1000).....\$5,252,126

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....\$78,000

Provided, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$121,012

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....\$75,000

Child exchange and visitation centers (082-00-1000-0450).....\$128,000

Provided, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$519,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....No limit

Court cost fund (082-00-2012-2000).....No limit

Bond transcript review fee
fund (082-00-2254-2300).....No limit

Conversion of materials and equipment
fund (082-00-2405-2040).....No limit

Attorney general's antitrust special
revenue fund (082-00-2506-2050).....No limit

Private gifts fund (082-00-7300-7000).....No limit

Medicaid fraud reimbursement
fund (082-00-9034-9040).....No limit

Medicaid fraud control
unit (082-00-3060-3080).....No limit

Attorney general's antitrust suspense
fund (082-00-9002-9000).....No limit

Attorney general's consumer protection
clearing fund (082-00-9003-9010).....No limit

Attorney general's committee on crime
prevention fee fund (082-00-2113-2090).....No limit

Provided, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....No limit

Crime victims compensation
fund (082-00-2563-2060).....No limit

Provided, That expenditures from the crime victims compensation fund for state operations shall not exceed \$467,173: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance
fund (082-00-2598-2070).....No limit

Protection from abuse
fund (082-00-2239-2030).....No limit

Crime victims grants and gifts
fund (082-00-7340-7010).....No limit

Provided, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer
intervention program certification
fund (082-00-2103-2103).....No limit

Debt collection administration cost
recovery fund (082-00-2305-2240).....No limit

Provided, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving
fund (082-00-2641-2280).....No limit

Provided, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2016 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation

fund (082-00-2311-2290).....No limit

Provided, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....No limit

Children's advocacy center
fund (082-00-2654-2610).....No limit

Abuse, neglect and exploitation of
people with disabilities unit grant
acceptance fund (082-00-2482-2500).....No limit

Concealed weapon licensure
fund (082-00-2450-2400).....No limit

Tobacco master settlement agreement
compliance fund (082-00-2383-2320).....No limit

Sexually violent predator expense
fund (082-00-2379-2310).....No limit

County law enforcement equipment
fund (082-00-2470-2470).....No limit

Child exchange and visiting
centers fund (082-00-2579-2250).....No limit

Roofing contractor registration
fund (082-00-2774-2774).....No limit

State medicaid fraud control unit –
federal fund (082-00-3060-3060).....No limit

Com def sol – violence against women

federal fund (082-00-3082-3082).....No limit

Crime victims compensation
federal fund (082-00-3133-3020).....No limit

Ed Byrne state/local law enforcement
federal fund (082-00-3213-3213).....No limit

Violence against women – ARRA
federal fund (082-00-3214-3212).....No limit

Comm prsct/project safe neighborhood
federal fund (082-00-3217-3217).....No limit

Public safety prtnt/comm pol
fund (082-00-3218-3218).....No limit

Anti-gang initiative federal
fund (082-00-3229-3229).....No limit

Alcohol impaired driving cntrmsr
federal fund (082-00-3247-3247).....No limit

Children's justice grant federal
fund (082-00-3381-3381).....No limit

Ed Byrne memorial JAG – ARRA
federal fund (082-00-3455-3455).....No limit

Medicaid indirect cost
federal fund (082-00-3919-3919).....No limit

Federal forfeiture fund (082-00-3940-3940).....No limit

SSA fraud prevention
federal fund (082-00-2174-2175).....No limit

False claims litigation revolving
fund (082-00-2650-2600).....No limit

Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 2016

Supp. 75-7501 et seq., and amendments thereto.

GTEAP federal fund (252-00-3050-3065).....	No limit
Ed Byrne memorial justice assistance grant federal fund (352-00-3057-3057).....	No limit
911 state maintenance fund (082-00-2747-2447).....	No limit
DOT prohibit racial profiling (082-00-3566-3566).....	No limit
Human trafficking victim assistance fund (082-00-2775-2775).....	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents fee fund (082-00-2259-2259).....	No limit
Fraud and abuse criminal prosecution fund.....	No limit
Attorney general's state agency representation fund.....	No limit

(c) During the fiscal year ending June 30, 2019, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2019, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state general fund for the attorney general to

another item of appropriation for fiscal year 2019 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(f) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(g) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the medicaid fraud prosecution revolving fund (082-00-2641-2280) of the attorney general to the state general fund.

Sec. 39.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund (622-00-2225-2100).....No limit

HAVA ELVIS fund (622-00-2353-2150).....No limit

Conversion of materials and equipment fund (622-00-2418-2200).....No limit

Information and services fee fund (622-00-2430-2300).....No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund (622-00-2619-2500).....No limit

Uniform commercial code fee fund (622-00-2664-2600).....No limit

State flag and banner fund (622-00-5130-4600).....No limit

Secretary of state fee refund

fund (622-00-9047-9100).....No limit

Electronic voting machine examination
fund (622-00-9101-9200).....No limit

Credit card clearing fund (622-00-9434-9400).....No limit

Suspense fund (622-00-9046-9000).....No limit

Prepaid services fund (622-00-9114-9300).....No limit

Athlete agent registration
fee fund (622-00-2674-2700).....No limit

Democracy fund (622-00-2702-2400).....No limit

Provided, That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication fee
fund (622-00-2672-2900).....No limit

Help America Vote Act federal
fund (622-00-3091).....No limit

HAVA Title I federal fund (622-00-3283-3283).....No limit

Voting access – disabled individuals
federal fund (622-00-3395-3395).....No limit

Cemetery maintenance and merchandise
fee fund (622-00-2736-2736).....No limit

Franchise fee recovery fund (622-00-2675-2800).....No limit

(b) During the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2018 by the above agency by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee

detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2018 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

Sec. 40.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Cemetery and funeral audit fee fund (622-00-2225-2100).....No limit

HAVA ELVIS fund (622-00-2353-2150).....No limit

Conversion of materials and equipment fund (622-00-2418-2200).....No limit

Information and services fee fund (622-00-2430-2300).....No limit

Provided, That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.

State register fee fund (622-00-2619-2500).....No limit

Uniform commercial code fee fund (622-00-2664-2600).....No limit

State flag and banner fund (622-00-5130-4600).....No limit

Secretary of state fee refund fund (622-00-9047-9100).....No limit

Electronic voting machine examination fund (622-00-9101-9200).....No limit

Credit card clearing fund (622-00-9434-9400).....No limit

Suspense fund (622-00-9046-9000).....No limit

Prepaid services fund (622-00-9114-9300).....	No limit
Athlete agent registration fee fund (622-00-2674-2700).....	No limit
Democracy fund (622-00-2702-2400).....	No limit
<i>Provided</i> , That all expenditures from the democracy fund shall be to provide matching funds to implement Title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.	
Technology communication fee fund (622-00-2672-2900).....	No limit
Help America Vote Act federal fund (622-00-3091).....	No limit
HAVA Title I federal fund (622-00-3283-3283).....	No limit
Voting access – disabled individuals federal fund (622-00-3395-3395).....	No limit
Cemetery maintenance and merchandise fee fund (622-00-2736-2736).....	No limit
Franchise fee recovery fund (622-00-2675-2800).....	No limit

(b) During the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2019 by the above agency by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2019 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

Sec. 41.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund (670-00-2374-2300).....\$1,697,950

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2018, the state treasurer is hereby authorized and directed to credit the first \$1,697,950 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2018 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2018 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....No limit

Bond services fee fund (670-00-2061-2500).....No limit

City bond finance fund (670-00-7654).....No limit

Local ad valorem tax reduction fund (670-00-7394-4800).....No limit

County and city revenue sharing fund (670-00-7395-4900).....No limit

Suspense fund (670-00-9054-9000).....No limit

County and city retailers' sales tax fund (670-00-7608-6000).....No limit

County and city compensating use tax fund (670-00-7667-6200).....No limit

Local alcoholic liquor fund (670-00-7665-6100).....No limit

Local alcoholic liquor equalization fund (670-00-7759-6500).....No limit

Unclaimed property claims fund (670-00-7758-7700).....No limit

Unclaimed property expense fund (670-00-2362-2200).....No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest tax fund (670-00-7602-6600).....No limit

Racing admissions tax fund (670-00-7670-6300).....No limit

Rental motor vehicle excise tax fund (670-00-7681-6800).....No limit

Transportation development district sales tax fund (670-00-7601-7000).....No limit

Redevelopment bond fund (670-00-7683-6900).....No limit

Special qualified industrial manufacturer fund (670-00-9525-9525).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2018, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of

each month commencing during fiscal year 2018, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2016 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2016 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education
 savings program trust
 fund (670-00-7241-7100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 75-650(f), and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2018, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education
 savings expense
 fund (670-00-2096-2000).....No limit

Conversion of materials and
 equipment fund (670-00-2461-2700).....No limit

Tax increment financing revenue
 replacement fund (670-00-7391-4700).....No limit

Spirit bonds fund (670-00-9515-9515).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2018, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Spirit

bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2018, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Learjet bond fund (670-00-9545-9545).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2018, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2018, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Siemens bond fund (670-00-9540-9540).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2018, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible

project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2018, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment
 tax reduction assistance
 fund (670-00-7684-7680).....\$0

Telecommunications and railroad
 machinery and equipment
 tax reduction assistance
 fund (670-00-7685-7690).....\$0

Community improvement district sales
 tax fund (670-00-7610-7650).....No limit

Special economic revitalization
 fund (670-00-9520-9520).....No limit

Bioscience development and
 investment fund (670-00-9510-9510).....No limit

KS ABLE savings expense
 fund (670-00-2177-2177).....No limit

(b) During the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such

remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*; That, for each such remittance deposited in the state treasury during fiscal year 2018, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*; That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*; That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*; That, whenever in fiscal year 2018 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2018, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-648, and amendments thereto, or any other statute, on July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

Sec. 42.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer operating fund (670-00-2374-2300).....\$1,714,681

Provided, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the moneys received under the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, during fiscal year 2019, the state treasurer is hereby authorized and directed to credit the first \$1,714,681 received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2019 shall be credited as prescribed under the unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2019 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....	No limit
Bond services fee fund (670-00-2061-2500).....	No limit
City bond finance fund (670-00-7654).....	No limit
Local ad valorem tax reduction fund (670-00-7394-4800).....	No limit
County and city revenue sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers' sales tax fund (670-00-7608-6000).....	No limit
County and city compensating use tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500).....	No limit
Unclaimed property claims	

fund (670-00-7758-7700)No limit

Unclaimed property expense
fund (670-00-2362-2200)No limit

Provided, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.

County and city transient guest
tax fund (670-00-7602-6600).....No limit

Racing admissions tax
fund (670-00-7670-6300).....No limit

Rental motor vehicle excise
tax fund (670-00-7681-6800).....No limit

Transportation development district sales
tax fund (670-00-7601-7000).....No limit

Redevelopment bond fund (670-00-7683-6900).....No limit

Special qualified industrial manufacturer
fund (670-00-9525-9525).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 74-50,122, and amendments thereto, or any other statute, the special qualified industrial manufacturer fund shall be maintained in the state treasury and shall be administered by the state treasurer for the purposes of the qualified industrial manufacturer act: *Provided further*; That, on the 15th day of each month that commences during fiscal year 2019, the secretary of commerce and the secretary of revenue shall consult and determine the amount of revenue received by the state from withholding taxes paid by each taxpayer that is a qualified industrial manufacturer during the preceding month and then, jointly, shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *And provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the special qualified industrial manufacturer fund established by this subsection: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2019, the director of accounts and reports shall transfer from the state general fund to the special qualified industrial manufacturer fund interest earnings based on: (1) The average daily balance of moneys in the special qualified industrial manufacturer fund established by this subsection for the preceding

month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the special qualified industrial manufacturer fund from the withholding taxes paid by a qualified industrial manufacturer shall be paid by the state treasurer to such qualified industrial manufacturer on such dates as are mutually agreed to by the secretary of commerce and the state treasurer, serving as paying agent in accordance with the terms of the agreement entered into pursuant to K.S.A. 2016 Supp. 74-50,122, and amendments thereto, by the secretary of commerce and such qualified industrial manufacturer: *And provided further*; That not more than \$2,000,000 shall be paid from the special qualified industrial manufacturer fund established by this subsection by the state treasurer to a qualified industrial manufacturer: *And provided further*; That the words and phrases used in these provisos to the appropriation of moneys in the special qualified industrial manufacturer fund shall have the meanings respectively ascribed thereto by K.S.A. 2016 Supp. 74-50,121, and amendments thereto, unless the context requires otherwise.

Kansas postsecondary education
 savings program trust
 fund (670-00-7241-7100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 75-650(f), and amendments thereto, or any other statute, moneys are hereby appropriated for the fiscal year ending June 30, 2019, for the purpose of matching contributions of qualified applicants.

Kansas postsecondary education
 savings expense
 fund (670-00-2096-2000).....No limit

Conversion of materials and
 equipment fund (670-00-2461-2700).....No limit

Tax increment financing
 revenue replacement
 fund (670-00-7391-4700).....No limit

Spirit bonds fund (670-00-9515-9515).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2019, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the

director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2019, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Learjet bond fund (670-00-9545-9545).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2019, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Learjet bond fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*; That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Learjet bond fund: *And provided further*; That, on or before the 10th day of each month commencing during fiscal year 2019, the director of accounts and reports shall transfer from the state general fund to the Learjet bond fund interest earnings based on: (1) The average daily balance of moneys in the Learjet bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*; That the moneys credited to the Learjet bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Learjet bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Siemens bond fund (670-00-9540-9540).....No limit

Provided, That, on the 15th day of each month that commences during fiscal year 2019, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 2016 Supp. 74-50,136, and amendments thereto, and for which the Siemens bond fund was created, and shall certify the amount so determined to the

director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: *Provided further*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Siemens bond fund: *And provided further*, That, on or before the 10th day of each month commencing during fiscal year 2019, the director of accounts and reports shall transfer from the state general fund to the Siemens bond fund interest earnings based on: (1) The average daily balance of moneys in the Siemens bond fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: *And provided further*, That the moneys credited to the Siemens bond fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Siemens bond fund to the appropriate account of the special economic revitalization fund administered by the state treasurer in accordance with K.S.A. 2016 Supp. 74-50,136, and amendments thereto.

Business machinery and equipment tax reduction assistance fund (670-00-7684-7680).....\$0

Telecommunications and railroad machinery and equipment tax reduction assistance fund (670-00-7685-7690).....\$0

Community improvement district sales tax fund (670-00-7610-7650).....No limit

Special economic revitalization fund (670-00-9520-9520).....No limit

Bioscience development and investment fund (670-00-9510-9510).....No limit

KS ABLE savings expense fund (670-00-2177-2177).....No limit

(b) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2019, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-

1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2019 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2019, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-648, and amendments thereto, or any other statute, on July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

Sec. 43.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service
 regulation fund (331-00-2270-2400).....No limit

Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be

made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund (331-00-2055-2000).....No limit

Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund (331-00-2056-2100).....No limit

Insurance company examiner training fund (331-00-2057-2200).....No limit

Conversion of materials and equipment fund (331-00-2412-2300).....No limit

Commissioner's travel reimbursement fund (331-00-9090-9200).....No limit

Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further;* That all moneys received by the commissioner of insurance for such travel from any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund (331-00-7354-7000).....No limit

Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund (331-00-7652-7130).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further;* That, pursuant to the provisions of section 34(a) of

chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2018 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2018 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2018; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2018 repayment amount" means the difference between the 2018 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2018 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2018 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2018 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee
 refund fund (331-00-9017-9100).....No limit

Group-funded workers' compensation pools
 fee fund (331-00-7374-7120).....No limit

Provided, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools fee
 fund (331-00-7356-7100).....No limit

Provided, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance plan fund (331-00-2328-2500).....No limit

Private grants and gifts fund (331-00-7301-7301).....No limit

Insurance education and training fund (331-00-2367-2600).....No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: Provided further, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: And provided further, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: And provided further, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund (331-00-7360-7360).....No limit

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: Provided further, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2018 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520).....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: Provided further, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Affordable care act – federal fund.....	No limit
HHS consumer assistance grant – federal fund (331-00-3555-3555).....	No limit
HHS exchange planning & establishment grant – federal fund (331-00-3556-3556).....	No limit
HHS rate review grant – federal fund (331-00-3505-3505).....	No limit
Professional employer organization fee fund (331-00-2678-2678).....	No limit
Pharmacy benefit manager registration fund.....	No limit
Securities act fee fund.....	\$3,128,483

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$2,000.

Investor education and protection fund.....	No limit
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Provided, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$5,000.

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2018 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2018 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,031,250 from the insurance department service regulation fund (331-00-2270-2400) of the insurance department to the state general fund.

(d) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, or as

soon thereafter each such date as moneys are available, notwithstanding the provisions of any statute, the director of accounts and reports shall transfer \$31,250 from the securities act fee fund of the insurance department to the state general fund.

(e) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,355,000 from the state general fund to the workers' compensation fund (331-00-7354-7000) of the insurance department.

Sec. 44.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service regulation fund (331-00-2270-2400).....No limit

Provided, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500: *Provided further*, That transfers may be made from this fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company examination fund (331-00-2055-2000).....No limit

Provided, That transfers may be made from the insurance company examination fund to the insurance department rehabilitation and repair fund of the insurance department.

Insurance company annual statement examination fund (331-00-2056-2100).....No limit

Insurance company examiner training fund (331-00-2057-2200).....No limit

Conversion of materials and equipment fund (331-00-2412-2300).....No limit

Commissioner's travel reimbursement fund (331-00-9090-9200).....No limit

Provided, That expenditures may be made from the commissioner's travel reimbursement fund only to reimburse the commissioner of insurance, or any designated employee, for expenses incurred for in-state or out-of-state travel for official purposes, including travel to meetings of public or private associations: *Provided further*, That all moneys received by the commissioner of insurance for such travel from

any non-state agency source shall be deposited in the state treasury to the credit of this fund.

Workers compensation fund (331-00-7354-7000).....No limit

Provided, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund (331-00-7652-7130).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, transfers may be made from the state firefighters relief fund to the insurance department rehabilitation and repair fund of the insurance department: *Provided further*, That, pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, one or more transfers may be made during fiscal year 2019 from the state firefighters relief fund to the insurance department service regulation fund to repay the amount that was borrowed for the special distribution in fiscal year 2008 pursuant to section 34(a) of chapter 131 of the 2008 Session Laws of Kansas, relating to the overpayment to the firefighters relief association for Manhattan, KS: *And provided further*, That, as used in this proviso: (1) "2019 formula amount" means the amount determined in accordance with the formula and other provisions of K.S.A. 40-1706, and amendments thereto, for the firefighters relief association for Manhattan, KS, for fiscal year 2019; (2) "2008 payment amount" means the amount actually paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2008; and (3) "2019 repayment amount" means the difference between the 2019 formula amount and the 2008 payment amount: *And provided further*, That, notwithstanding the provisions of K.S.A. 40-1706, and amendments thereto, or any other statute, the amount of the distribution to be paid to the firefighters relief association for Manhattan, KS, from the state firefighters relief fund for fiscal year 2019 shall not exceed the 2008 payment amount: *And provided further*, That the commissioner of insurance shall certify the 2019 repayment amount to the director of accounts and reports and the outstanding amount that remains to be repaid to the insurance department service regulation fund pursuant to the provisions of section 34(a) of chapter 131 of the 2008 Session Laws of Kansas after the transfer to the insurance department service regulation fund pursuant to this proviso: *And provided further*, That, upon receipt of such certification, the director of accounts and reports shall transfer the amount equal to the 2019 repayment amount from the state firefighters relief fund to the insurance department service regulation fund: *And provided further*, That, at the same time that the commissioner of insurance transmits such certification to the director of accounts and reports, the commissioner of insurance shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Insurance company tax and fee
refund fund (331-00-9017-9100).....No limit

Group-funded workers' compensation pools
fee fund (331-00-7374-7120).....No limit

Provided, That transfers may be made from the group-funded workers' compensation pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Municipal group-funded pools
fee fund (331-00-7356-7100).....No limit

Provided, That transfers may be made from the municipal group-funded pools fee fund to the insurance department rehabilitation and repair fund of the insurance department.

Uninsurable health insurance
plan fund (331-00-2328-2500).....No limit

Private grants and gifts
fund (331-00-7301-7301).....No limit

Insured education and training
fund (331-00-2367-2600).....No limit

Provided, That expenditures may be made from the insurance education and training fund for training programs and official hospitality: *Provided further*; That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement
fund (331-00-7360-7360).....No limit

Provided, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*; That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2019 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520).....No limit

Provided, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Affordable care act – federal fund.....No limit

HHS consumer assistance grant – federal fund (331-00-3555-3555).....No limit

HHS exchange planning & establishment grant – federal fund (331-00-3556-3556).....No limit

HHS rate review grant – federal fund (331-00-3505-3505).....No limit

Professional employer organization fee fund (331-00-2678-2678).....No limit

Pharmacy benefit manager registration fund.....No limit

Securities act fee fund.....\$3,010,978

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$2,000.

Investor education and protection fund.....No limit

Provided, That expenditures from the investor education and protection fund for the

fiscal year ending June 30, 2019, for official hospitality shall not exceed \$5,000.

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2019 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2019 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 40-112, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,062,500 from the insurance department service regulation fund (331-00-2270-2400) of the insurance department to the state general fund.

(d) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of any statute, the director of accounts and reports shall transfer \$62,500 from the securities act fee fund of the insurance department to the state general fund.

Sec. 45.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization
fund (270-00-7404-2000).....No limit

Conference fee fund (270-00-2453-2453).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2018, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures (270-00-7404-2100).....\$2,137,650

Provided, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims
expenses (270-00-7404-2300).....No limit

Claims and benefits (270-00-7404-2400).....No limit

Sec. 46.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Health care stabilization fund (270-00-7404-2000).....No limit

Conference fee fund (270-00-2453-2453).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2019, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures (270-00-7404-2100).....\$2,144,838

Provided, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims expenses (270-00-7404-2300).....No limit

Claims and benefits (270-00-7404-2400).....No limit

Sec. 47.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Municipal investment pool fund (671-00-7537-7000).....No limit

Pooled money investment portfolio fee fund (671-00-2319-2000).....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2018, the state treasurer shall certify to the pooled money investment board an

accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2018, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 48.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Municipal investment pool fund (671-00-7537-7000).....No limit
- Pooled money investment portfolio fee fund (671-00-2319-2000).....No limit

Provided, That, on or before the fifth day of each month of the fiscal year ending June 30, 2019, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10th day of each month during the fiscal year ending June 30, 2019, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 49.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Judicial council fund (349-00-2127-2100).....No limit

Grants and gifts fund (349-00-7326-7000).....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund (349-00-2297-2000).....No limit

(b) On June 30, 2018, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund (349-00-2297-2000) as of June 30, 2018, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund (349-00-2127-2100) and then from the publication fees fund.

Sec. 50.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Judicial council fund (349-00-2127-2100).....No limit

Grants and gifts fund (349-00-7326-7000).....No limit

Provided, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund (349-00-2297-2000).....No limit

(b) On June 30, 2019, notwithstanding the provisions of K.S.A. 20-2207, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the publications fee fund (349-00-2297-2000) as of June 30, 2019, in excess of \$175,000 from the publications fee fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the publications fee fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the publications fee fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the judicial council by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, when the judicial council must expend moneys for unforeseen and unbudgeted items, such moneys shall be paid first from the judicial council fund (349-00-2127-2100) and then from the publication fees fund.

Sec. 51.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Assigned counsel expenditures (328-00-1000-0700).....\$1,300,000

Sec. 52.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (328-00-1000-0603).....\$12,775,429

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*, That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*, That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700).....\$10,050,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations (328-00-1000-0800).....\$2,540,891

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the capital defense operations account is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners (328-00-1000-0500).....\$289,592

Indigents' defense services operations (328-00-1000-0610).....\$156,847

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$1,908,796

Provided, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund (328-00-3211-3211).....No limit

Indigents' defense services fund (328-00-2119-2000).....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop
fee fund (328-00-2186-2100).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2018, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2018 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 53.

STATE BOARD OF INDIGENTS'
DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (328-00-1000-0603).....\$12,789,779

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*; That expenditures may be made from the operating expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*; That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel expenditures (328-00-1000-0700).....\$10,050,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations (328-00-1000-0800).....\$2,942,507

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the capital defense operations account is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners (328-00-1000-0500).....\$289,592

Indigents' defense services operations (328-00-1000-0610).....\$156,847

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$2,760,665

Provided, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training grant fund (328-00-3211-3211).....No limit

Indigents' defense services fund (328-00-2119-2000).....No limit

Provided, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop fee fund (328-00-2186-2100).....	No limit
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Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*; That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*; That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2019, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2019 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 54.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Judiciary operations (677-00-1000).....	\$100,531,677
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Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*; That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*; That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*; That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Library report fee
fund (677-00-2106-2000).....No limit

Judiciary technology
fund (677-00-2272-1800).....No limit

Dispute resolution
fund (677-00-2126-3500).....No limit

Judicial branch education
fund (677-00-2324-1900).....No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Child welfare federal grant
fund (677-00-3942-3300).....No limit

Child support enforcement contractual
agreement fund (677-00-2681-2400).....No limit

SJI grant fund (677-00-2714-2714).....No limit

Bar admission fee
fund (677-00-2724-2500).....No limit

Permanent families account –
family and children
investment fund (677-00-7317-7000).....No limit

Duplicate law book fund (677-00-2543-2300).....No limit

Court reporter fund (677-00-2725-2600).....	No limit
Access to justice fund (677-00-2169-2100).....	No limit
Judicial branch nonjudicial salary initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental compensation fund (677-00-2398-2390).....	No limit
Correctional supervision fund (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214).....	No limit
Judicial branch docket fee fund (677-00-2158-2158).....	No limit
Electronic filing and management fund (677-00-2791-2791).....	No limit

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account – family and children investment fund (677-00-7317-7000) of the judicial branch.

Sec. 55.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Judiciary operations (677-00-1000).....\$101,264,935

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and

amendments thereto: *And provided further*, That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*, That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*, That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*, That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund (677-00-2106-2000)No limit

Judiciary technology fund (677-00-2272-1800).....No limit

Dispute resolution fund (677-00-2126-3500).....No limit

Judicial branch education fund (677-00-2324-1900).....No limit

Provided, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*, That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Child welfare federal grant fund (677-00-3942-3300).....No limit

Child support enforcement contractual agreement fund (677-00-2681-2400).....No limit

SJI grant fund (677-00-2714-2714).....	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children investment fund (677-00-7317-7000).....	No limit
Duplicate law book fund (677-00-2543-2300).....	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Access to justice fund (677-00-2169-2100).....	No limit
Judicial branch nonjudicial salary initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental compensation fund (677-00-2398-2390).....	No limit
Correctional supervision fund (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214).....	No limit
Judicial branch docket fee fund (677-00-2158-2158).....	No limit
Electronic filing and management fund (677-00-2791-2791).....	No limit

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund to the permanent families account – family and children investment fund (677-00-7317-7000) of the judicial branch.

Sec. 56.

KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund (365-00-7002-7000).....No limit

Provided, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund (365-00-2376).....No limit

Group insurance reserve fund (365-00-7358-9200).....No limit

Optional death benefit plan reserve fund (365-00-7357-9100).....No limit

Kansas endowment for youth fund (365-00-7000-2000).....No limit

Senior services trust fund (365-00-7550-7600).....No limit

Family and children endowment account – family and children investment fund (365-00-7010-4000).....No limit

Non-retirement administration fund (365-00-2277).....No limit

Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund (365-00-7000-2000), the senior services trust fund (365-00-7550-7600), the family and children endowment account – family and children investment fund (365-00-7010-4000) and the unclaimed property account (670-00-7758-7700) of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related

expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund (365-00-7001-2100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: Provided further; That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2018: And provided further; That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2018.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2018, for the following specified purposes:

Agency operations (365-00-7002-7400).....\$12,250,614

Provided, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses (365-00-7002-8000).....No limit

KPERS technology project (365-00-7002-7800).....No limit

(c) Expenditures may be made from the non-retirement administration fund (365-00-2277) for the fiscal year ending June 30, 2018, for the following specified purposes:

Agency operations (365-00-2277-2210).....\$120,437

Investment-related expenses (365-00-2277-2220).....No limit

(d) On July 1, 2017, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2017, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby

increased to \$41,751,540.

(e) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas endowment for youth fund (365-00-7000-2000) of the Kansas public employees retirement system to the state general fund.

Sec. 57.

KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund (365-00-7002-7000).....No limit

Provided, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund (365-00-2376).....No limit

Group insurance reserve fund (365-00-7358-9200).....No limit

Optional death benefit plan reserve fund (365-00-7357-9100).....No limit

Kansas endowment for youth fund (365-00-7000-2000).....No limit

Senior services trust fund (365-00-7550-7600).....No limit

Family and children endowment account – family and children investment fund (365-00-7010-4000).....No limit

Non-retirement administration fund (365-00-2277).....No limit

Provided, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to

transfer from the Kansas endowment for youth fund (365-00-7000-2000), the senior services trust fund (365-00-7550-7600), the family and children endowment account – family and children investment fund (365-00-7010-4000) and the unclaimed property account (670-00-7758-7700) of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

KDFA series 2003H bond debt service fund (365-00-7001-2100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-4921 et seq., and amendments thereto, any employer contributions remitted in accordance with the provisions of K.S.A. 20-2605, and amendments thereto, K.S.A. 74-4920, and amendments thereto, K.S.A. 74-4939, and amendments thereto, and K.S.A. 74-4967, and amendments thereto, for the purpose of paying the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be credited in the KDFA series 2003H bond debt service fund: *Provided further*, That the executive director of the Kansas public employees retirement system shall certify to the director of accounts and reports an amount to reimburse the state general fund for bond debt service payments authorized in fiscal year 2019: *And provided further*, That the director of accounts and reports shall transfer to the state general fund such amount certified as provided by the executive director no later than June 30, 2019.

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2019, for the following specified purposes:

Agency operations (365-00-7002-7400).....\$12,388,828

Provided, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses (365-00-7002-8000).....No limit

KPERS technology project (365-00-7002-7800).....No limit

(c) Expenditures may be made from the non-retirement administration fund (365-00-2277) for the fiscal year ending June 30, 2019, for the following specified purposes:

Agency operations (365-00-2277-2210).....\$127,536

Investment-related expenses (365-00-2277-2220).....No limit

(d) On July 1, 2018, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2018, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$41,751,688.

Sec. 58.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (058-00-1000-0103).....\$1,044,766

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$500: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund (058-00-3016-3000).....No limit

Conversion of materials and equipment fund (058-00-2404-1300).....No limit

Annual banquet fund (058-00-2611-1400).....No limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet fund.

Education and training fund (058-00-2282-2000).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 59.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (058-00-1000-0103).....\$1,051,700

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*, That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Federal fund (058-00-3016-3000).....No limit

Conversion of materials and equipment fund (058-00-2404-1300).....No limit

Annual banquet fund (058-00-2611-1400).....No limit

Provided, That expenditures may be made from the annual banquet fund for operating expenditures for the commission's annual banquet, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such banquet: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such banquet, including official hospitality: *And provided further*, That all fees received for such banquet shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the annual banquet

fund.

Education and training fund (058-00-2282-2000).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*, That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 60.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund (143-00-2019-0100).....No limit

Motor carrier license fees fund (143-00-2812-5500).....No limit

Conservation fee fund (143-00-2130-2000).....No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*, That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*, That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*, That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*, That the state corporation commission shall include as part of the fiscal year 2018 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2018, 2019 and 2020.

Natural gas underground storage
fee fund (143-00-2181-2120).....No limit

Gas pipeline inspection fee
fund (143-00-2023-1100).....No limit

Special one-call – federal
fund (143-00-3477-3477).....No limit

Compressed air energy storage
fee fund (143-00-2454-2410).....No limit

Abandoned oil and gas well
fund (143-00-2143-2100).....No limit

Facility conservation improvement
program fund (143-00-2432-2400).....No limit

Gas pipeline safety program –
federal fund (143-00-3632-3000).....No limit

Carbon dioxide injection well and underground
storage fund (143-00-2358-2500).....No limit

Energy conservation plan –
federal fund (143-00-3682-3500).....No limit

Energy efficiency revolving loan program – ARRA
federal fund (143-00-3161-3160).....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all

expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*; That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*; That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Vehicle information systems network –
federal fund (143-00-3244-3244).....No limit

Underground injection control class II –
federal fund (143-00-3768-3700).....No limit

One call – federal fund (143-00-3633-3120).....No limit

Inservice education workshop fee
fund (143-00-2316-2300).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*; That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing
fund (143-00-9062-9100).....No limit

Credit card clearing fund (143-00-9401-9400).....No limit

Suspense fund (143-00-9007-9000).....No limit

Well plugging assurance
fund (143-00-2180-2110).....No limit

Energy grants management fund (143-00-2667-4000).....No limit

Energy efficiency program – federal fund.....No limit

(b) Expenditures for the fiscal year ending June 30, 2018, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2018 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2018, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund (143-00-2130-2000) of the state corporation commission, which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund (143-00-2143-2100) of the state corporation commission: *Provided*, That the chairperson of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Expenditures for the fiscal year ending June 30, 2018, by the state corporation commission from the public service regulation fund (143-00-2019-0100), the motor carrier license fees fund (143-00-2812-5500) and the conservation fee fund (143-00-2130-2000) for official hospitality shall not exceed, in the aggregate, \$2,000.

(f) During the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(g) On July 1, 2017, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall

transfer \$500,000 from the well plugging assurance fund (143-00-2180-2110) of the state corporation commission to the abandoned oil and gas well fund (143-00-2143-2100) of the state corporation commission.

(h) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

(i) During the fiscal year ending June 30, 2018, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer moneys from the energy efficiency revolving loan program – ARRA federal fund (143-00-3161-3160) to the energy efficiency program – federal fund of the state corporation commission: *Provided*, That the chairperson of the state corporation commission shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency program for the purpose of energy conservation and other energy-related activities: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency program: *And provided further*; That any person who agrees to receive money from the energy efficiency program – federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency program – federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency program – federal fund interest earnings based on: (1) The average daily balance of moneys in the energy efficiency program – federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 61.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service regulation fund (143-00-2019-0100).....	No limit
Motor carrier license fees fund (143-00-2812-5500).....	No limit
Conservation fee fund (143-00-2130-2000).....	No limit

Provided, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided*

further; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2019 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2018, 2019 and 2020.

Natural gas underground storage
fee fund (143-00-2181-2120).....No limit

Gas pipeline inspection
fee fund (143-00-2023-1100).....No limit

Special one-call –
federal fund (143-00-3477-3477).....No limit

Compressed air energy storage
fee fund (143-00-2454-2410).....No limit

Abandoned oil and gas well
fund (143-00-2143-2100).....No limit

Facility conservation improvement
program fund (143-00-2432-2400).....No limit

Gas pipeline safety program –
federal fund (143-00-3632-3000).....No limit

Carbon dioxide injection well and
underground storage
fund (143-00-2358-2500).....No limit

Energy conservation plan –
federal fund (143-00-3682-3500).....No limit

Energy efficiency revolving loan
program – ARRA
federal fund (143-00-3161-3160).....No limit

Provided, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Vehicle information systems network –
federal fund (143-00-3244-3244).....No limit

Underground injection control class II –
federal fund (143-00-3768-3700).....No limit

One call – federal fund (143-00-3633-3120).....No limit

Inservice education workshop
fee fund (143-00-2316-2300).....No limit

Provided, That expenditures may be made from the inservice education workshop fee fund for operating expenditure, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*, That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*, That all

moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Unified carrier registration clearing fund (143-00-9062-9100).....	No limit
Credit card clearing fund (143-00-9401-9400).....	No limit
Suspense fund (143-00-9007-9000).....	No limit
Well plugging assurance fund (143-00-2180-2110).....	No limit
Energy grants management fund (143-00-2667-4000).....	No limit
Energy efficiency program – federal fund.....	No limit

(b) Expenditures for the fiscal year ending June 30, 2019, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2019 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2019, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund (143-00-2130-2000) of the state corporation commission, which are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund (143-00-2143-2100) of the state corporation commission: *Provided*, That the chairperson of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Expenditures for the fiscal year ending June 30, 2019, by the state corporation commission from the public service regulation fund (143-00-2019-0100), the motor carrier license fees fund (143-00-2812-5500) and the conservation fee fund (143-00-2130-2000) for official hospitality shall not exceed, in the aggregate, \$2,000.

(f) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(g) On July 1, 2018, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund (143-00-2180-2110) of the state corporation commission to the abandoned oil and gas well fund (143-00-2143-2100) of the state corporation commission.

(h) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

(i) During the fiscal year ending June 30, 2019, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer moneys from the energy efficiency revolving loan program – ARRA federal fund (143-00-3161-3160) to the energy efficiency program – federal fund of the state corporation commission: *Provided*, That the chairperson of the state corporation commission shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency program for the purpose of energy conservation and other energy-related activities: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons as may be necessary to administer the energy efficiency program: *And provided further*, That any person who agrees to receive money from the energy efficiency program – federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency program – federal fund: *And provided further*, That, on or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency program – federal fund interest earnings based on: (1) The average daily balance of moneys in the energy efficiency program – federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

Sec. 62.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$960,382

(b) During the fiscal year ending June 30, 2018, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2018 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2017, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2017 may be expended from the utility regulatory fee fund for fiscal year 2018 pursuant to contracts for professional services and any such expenditure for fiscal year 2018 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2018.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2018, no expenditures shall be made by the above agency from the utility regulatory fee fund (122-00-2030-2000) for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 63.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$977,671

(b) During the fiscal year ending June 30, 2019, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2019 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2018, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2018 may be expended from the utility regulatory fee fund for fiscal year 2019 pursuant to contracts for professional services and any such expenditure for fiscal year 2019 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2019.

(c) On and after the effective date of this act, during the fiscal year ending June 30, 2019, no expenditures shall be made by the above agency from the utility regulatory fee fund (122-00-2030-2000) for the review or other oversight of proposed administrative rules and regulations or any other duties pursuant to executive order no. 11-02.

Sec. 64.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, during fiscal year 2017, the aggregate amount lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to section 81(s) of chapter 104 of the 2015 Session Laws of Kansas is hereby decreased from \$15,000,000 or more to \$6,063,900 or more.

Sec. 65.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (173-00-1000-0200).....\$4,644,292

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$1,456,592

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman (173-00-1000-0580).....\$241,601

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$64,438,005

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2018, the following:

KPERS bond debt service (173-00-1700-1704).....\$35,698,913

Public broadcasting digital conversion debt

service (173-00-1700-1703).....\$440,057

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management fund (173-00-2001-2200).....No limit

State leave payment reserve fund (173-00-7730-7350).....No limit

Building and ground fund (173-00-2028-2000).....No limit

General fees fund (173-00-2197-2020).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund (173-00-6103-5700).....No limit

Budget fees fund (173-00-2191-2100).....No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*; That the director of the budget is hereby

authorized to fix, charge and collect fees for such training programs: *And provided further*; That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*; That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund (173-00-2075-2110).....No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund (173-00-2434-2090).....No limit

Conversion of materials and equipment fund (173-00-2408-2030).....No limit

Architectural services equipment conversion fund (173-00-2401-2170).....No limit

Property contingency fund (173-00-2640-2060).....No limit

Flood control emergency – federal fund (173-00-3024-3020).....No limit

INK special revenue fund (173-00-2764-2702).....No limit

FICA reimbursements medical residents fund (173-00-7599-7500).....No limit

State buildings operating fund (173-00-6148-4100).....No limit

Provided, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 2016 Supp. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund (173-00-6105-4010).....No limit

Provided, That expenditures may be made from the accounting services recovery

fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund (173-00-6151-5500).....No limit

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*; That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services recovery fund (173-00-2033-1850).....No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*; That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*; That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*; That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants payment fund (173-00-2645-2070).....No limit

State emergency fund (173-00-2581-2150).....No limit

Bid and contract deposit fund (173-00-7609-7060).....No limit

Federal withholding tax clearing fund (173-00-7701-7080).....No limit

Financial management system development fund (173-00-6135-6130).....No limit

Provided, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*; That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund (173-00-9011-9100).....No limit

Financial management system development fund – on budget (173-00-2689-2689).....No limit

Construction defects recovery fund (173-00-2632-2615).....No limit

Facilities conservation improvement fund (173-00-8745-4912).....No limit

State revolving fund services fee fund (173-00-2038-2700).....No limit

Conversion of materials and equipment – recycling program fund (173-00-2435-2031).....No limit

Curtis office building maintenance reserve fund (173-00-2010-2190).....No limit

Equipment lease purchase program administration

clearing fund (173-00-8701-8000).....	No limit
Suspense fund (173-00-9075-9220).....	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570).....	No limit
Bioscience development fund (173-00-2765-2703).....	No limit
Docking state office building rehab, repair and razing fund (173-00-2938-2938).....	\$0
Digital imaging program fund (173-00-6121-6121).....	No limit
<i>Provided, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.</i>	
On-site state employee health clinic fund.....	\$2,700,000

Provided, That expenditures from the on-site state employee health clinic fund shall be used by the above agency during fiscal year 2018 to procure the services of a vendor to establish an on-site state employee health clinic, including any services necessary to construct, renovate and operate such clinic: *Provided further*, That such clinic may be located on property owned or leased by the state of Kansas: *And provided further*, That except as provided further, any procurement contract solicited and executed pursuant to this proviso shall be subject to the competitive bid requirements established in K.S.A. 75-3737a et seq., and amendments thereto: *Provided, however*, That the above agency may consider cost avoidance and return on investment when determining the lowest responsible bidder: *And provided further*, That any procurement contract executed pursuant to this proviso shall include, at a minimum, the following requirements of the vendor: (1) Employing a physician licensed by the state board of healing arts to oversee the clinic; (2) providing clinic services to state employees free of charge or, for state employees who participate in the state health care benefits program and who elect a high-deductible health plan and health savings account, for the minimum charge permissible by federal law; (3) establishing and maintaining an online, secure patient portal that allows secure messaging with clinic healthcare providers, including an electronic option for a patient to interact with a clinic healthcare provider to access and receive care using a computer, tablet or phone, scheduling and access to the patient's personal medical record; (4) offering, at a minimum, the following services at the clinic: General primary healthcare services; limited supply and dispensing of medications, to the extent permitted under the pharmacy act of the state of Kansas; on-site laboratory services that are granted waived status under the federal clinical laboratory improvement amendments of 1988 by the United States food and drug administration; third-party laboratory services that are not granted such waived status; behavioral health services; and physical medicine services; (5) offering clinic services that align with the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission; (6) providing data security for all clinic and patient data and shall not contract with or otherwise rely upon a third party to provide such security; (7) providing an electronic medical record system that is interoperable, that enables the exchange of health data with outside electronic medical record systems, public health entities, clinicians, administrative staff and health provider organizations and that enables healthcare providers to view health data within the healthcare provider's work flow from other healthcare providers across healthcare delivery venues; and (8) preparing a report detailing cost avoidance and return on investment over a period of five years and shall submit such report to the secretary of administration, the house of representatives standing committee on appropriations and the senate standing committee on ways and means: *And provided further*, That the contract shall include performance guarantees, including, but not limited to, guarantees related to: Patient experience, including patient satisfaction, wait time and complaint resolution; compliance and reporting, establishment of criteria for providing financial or clinic incentives to state employees who participate in the state of Kansas health and wellness program administered by the department of health and environment and the Kansas state employees health care commission: *And provided further*, That the above agency shall advise and consult with the Kansas state employees health care commission regarding the establishment of the on-site state employee health clinic described in this proviso, including any bids submitted to establish the on-site

state employee health clinic: *And provided further*; That the above agency shall advise and consult with the joint committee on state building construction regarding the identification and selection of space and premises to establish the on-site state employee health clinic described in this proviso: *And provided further*; That the above agency shall advise and consult with the department of health and environment regarding the operation of the on-site state employee health clinic described in this proviso: *And provided, however*; That the construction or renovation of premises related to the establishment of an on-site state employee health clinic pursuant to this proviso shall not exceed the sum of \$500,000.

(d) On July 1, 2017, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(e) During the fiscal year ending June 30, 2018, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2018 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(g) (1) On July 1, 2017, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget which shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2018, except that such amount shall be proportionally adjusted during fiscal year 2018 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2018. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2018 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2018.

(3) The director of accounts and reports shall notify the state treasurer of all

amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(h) (1) On July 1, 2017, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget which shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2018, except that such amount shall be proportionally adjusted during fiscal year 2018 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2018. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2018 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2018.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(i) During the fiscal year ending June 30, 2018, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the department of administration to another item of appropriation for fiscal year 2018 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2018, the following:

SIBF – state building
insurance (173-00-8100-8920).....\$245,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(k) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2018, the following:

CIBF – state building insurance (173-00-8600-8930).....	\$265,000
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Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(l) On July 1, 2017, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2018 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(m) (1) On July 1, 2017, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2028, for state agencies.

(2) On or before September 1, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2018.

(3) (A) (i) Prior to August 15, 2017, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2018 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2018.

(ii) On or before June 30, 2018, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2018, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (m)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no

expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2017, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2017 and which were not reappropriated for fiscal year 2018, as determined by the director of the budget: *Provided*, That, as used in this subsection (m)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2017 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2017 regular session of the legislature.

(C) Prior to August 15, 2017, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2016, that were released during fiscal year 2017, and that were not specifically reappropriated by an appropriation act of the 2017 regular session of the legislature.

(4) (A) On August 15, 2017, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (m) (3)(A)(i), the appropriation for fiscal year 2018 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2018, by this or other appropriation act of the 2017 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (m)(3) (A)(i).

(B) On June 30, 2018, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (m)(3) (A)(ii), the appropriation for fiscal year 2018 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2018, by this or other appropriation act of the 2017 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (m)(3) (A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (m)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2017, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and

reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2017, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (m)(6), the appropriation for fiscal year 2018 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2018, by this or other appropriation act of the 2017 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (m)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2018.

(8) (A) On or before September 1, 2017, after receipt of each certification by the director of the budget pursuant to this subsection, the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (m)(3) and subsection (m)(6) in accordance with such certifications.

(B) On September 1, 2017, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however;* That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2017, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection during fiscal year 2018.

(D) On June 30, 2018, the director of accounts and reports shall record a credit to the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2028.

(E) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records

kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center and Wichita state university.

(10) The provisions of this subsection shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund or funds of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection, is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(o) During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2017, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2018, except that such amount shall be proportionally adjusted during fiscal year 2018 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2018. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2018 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2018.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) On July 1, 2017, the older Americans act long-term care ombudsman federal fund (173-00-3287-3287) is hereby redesignated as the older Americans act title IIIIB long-term care ombudsman federal fund (173-00-3287-3287).

(r) On July 1, 2017, the older Americans act long-term care ombudsman federal fund (173-00-3358-3140) is hereby redesignated as the older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).

(s) (1) On or before June 30, 2018, the secretary of administration: (A) Shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund or funds appropriated for fiscal year 2018 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2018; and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2018, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2018, the director of the budget shall certify each amount appropriated from each special revenue fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That the expenditure limitations on the accounts in the children's initiatives fund, the state economic development initiatives fund and the state water plan

fund shall be decreased by the amount of such moneys transferred to the state general fund from each such account: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$5,000,000 or more.

(2) As used in this section: (A) "Cabinet agency" means the (1) department of administration, (2) department of revenue, (3) department of commerce, (4) department of labor, (5) department of health and environment, (6) Kansas department for aging and disability services, (7) Kansas department for children and families, (8) department of corrections, (9) adjutant general, (10) Kansas highway patrol, (11) Kansas department of agriculture, (12) Kansas department of wildlife, parks and tourism, and (13) department of transportation; and

(B) "information technology projects" shall include information technology related expenditures including: (1) Services, labor (full-time, part-time or contract), contract payments, purchases related to planning, designing, developing, testing, implementing, training, operating, supporting, securing and maintaining any of the data, applications and/or technologies listed in this subsection; (2) all data under the custodianship of the executive branch; (3) all computer applications under the custodianship of the executive branch; and (4) all technology, digital information involving any form of computer storage, including, but not limited to, mainframes, servers, networks and network-related items, including switches, routers, cables, fiber, telecommunications and personal computers, laptops, tablet computers, mobile phones, digital storage in any form or format, printers and fax machines and cloud computing.

(t) (1) On July 1, 2017, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2018, except that such amount shall be proportionally adjusted during fiscal year 2018 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2018. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2017 and fiscal year 2018 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2018 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2018.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make

reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (u) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(u) (1) On July 1, 2017, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2018, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2018 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2018.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (t) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

(v) During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made from the state general fund or any special revenue fund or funds for fiscal year 2018 by the above agency by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or any special revenue fund or funds to form a task force to study, review and develop a plan for the: (1) Procurement of information technology equipment, services and software; food; office supplies; furniture and fixtures; fuel; and any other purchased durable goods to achieve the most cost efficiencies for school districts; (2) implementation and administration of a unified

school district employee health care benefits program; and (3) identification of any other school district efficiencies: *Provided*, That the task force members shall include a representative from the Wichita public school district, a representative from a rural school district as appointed by the secretary of administration, two individuals who are not current members of the legislature appointed by the speaker of the house of representatives, an individual who is not a current member of the legislature appointed by the minority leader of the house of representatives, a member of the state board of education appointed by such board, members representing a geographic balance of the state appointed by the secretary of administration and any additional stakeholders as deemed necessary by the secretary of administration: *Provided further*; That upon request by the task force, any existing or previously convened working group that studied such issues shall report to and advise the task force: *And provided further*; That such task force shall provide a report to the house appropriations committee and the senate ways and means committee on or before January 8, 2018, detailing the findings of such study, including a plan to implement the findings of the task force.

(w) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,700,000 from the health insurance premium reserve fund (264-00-7350-7350) of the department of health and environment – division of health care finance to the on-site state employee health clinic fund of the department of administration.

Sec. 66.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (173-00-1000-0200).....\$4,699,654

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$1,617,629

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service under the Kansas civil service act: *And provided further*; That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman (173-00-1000-0580).....\$243,775

Provided, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt
service (173-00-1000-0440).....\$64,433,207

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2019, the following:

KPERS bond debt
service (173-00-1700-1704).....\$35,701,595

Public broadcasting digital conversion
debt service (173-00-1700-1703).....\$437,375

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Federal cash management
fund (173-00-2001-2200).....No limit

State leave payment reserve
fund (173-00-7730-7350).....No limit

Building and ground
fund (173-00-2028-2000).....No limit

General fees fund (173-00-2197-2020).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*, That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*, That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*, That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost recovery fund (173-00-6103-5700).....No limit

Budget fees fund (173-00-2191-2100).....No limit

Provided, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*, That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

Provided, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*, That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services fee fund (173-00-2075-2110).....No limit

Provided, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*, That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment conversion fund (173-00-2434-2090).....No limit

Conversion of materials and equipment fund (173-00-2408-2030).....No limit

Architectural services equipment conversion fund (173-00-2401-2170).....No limit

Property contingency fund (173-00-2640-2060).....No limit

Flood control emergency – federal fund (173-00-3024-3020).....No limit

INK special revenue fund (173-00-2764-2702).....No limit

FICA reimbursements medical residents fund (173-00-7599-7500).....No limit

State buildings operating fund (173-00-6148-4100).....No limit

Provided, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*, That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*, That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*, That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 2016 Supp. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*, That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately-owned buildings: *And provided further*, That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the

state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services recovery fund (173-00-6105-4010).....No limit

Provided, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration which are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services recovery fund (173-00-6151-5500).....No limit

Provided, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*; That all fees received for all such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services recovery fund (173-00-2033-1850).....No limit

Provided, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official

hospitality: *Provided further*; That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*; That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*; That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

 Canceled warrants payment
fund (173-00-2645-2070).....No limit

 State emergency fund (173-00-2581-2150).....No limit

 Bid and contract deposit
fund (173-00-7609-7060).....No limit

 Federal withholding tax clearing
fund (173-00-7701-7080).....No limit

 State gaming revenues
fund (173-00-9011-9100).....No limit

 Construction defects recovery
fund (173-00-2632-2615).....No limit

 Facilities conservation improvement
fund (173-00-8745-4912).....No limit

 State revolving fund services fee
fund (173-00-2038-2700).....No limit

 Conversion of materials and
equipment – recycling program
fund (173-00-2435-2031).....No limit

 Curtis office building maintenance
reserve fund (173-00-2010-2190).....No limit

 Equipment lease purchase program
administration clearing
fund (173-00-8701-8000).....No limit

Suspense fund (173-00-9075-9220).....	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570).....	No limit
Bioscience development fund (173-00-2765-2703).....	No limit
Docking state office building rehab, repair and razing fund (173-00-2938-2938).....	\$0
Digital imaging program fund (173-00-6121-6121).....	No limit

Provided, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.

(d) During the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated

from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products which may be purchased by such employees: *Provided, however*; That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided*, That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further*; That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2018, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2019, the secretary of administration is hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2019 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2018, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2019, except that such amount shall be proportionally adjusted during fiscal year 2019 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2019. All moneys transferred and

credited to the state economic development initiatives fund during fiscal year 2019 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2019, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2019.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2018, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2019, except that such amount shall be proportionally adjusted during fiscal year 2019 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2019. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2019 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2019, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2019.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) During the fiscal year ending June 30, 2019, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the department of administration to another item of appropriation for fiscal year 2019 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, the following:

SIBF – state building
 insurance (173-00-8100-8920).....\$250,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2019, the following:

CIBF – state building
 insurance (173-00-8600-8930).....\$270,000

Provided, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2018, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2019 shall be equal to and shall not exceed the older Americans act Title VII: ombudsman award and 4.38% of the Kansas older Americans act Title III: part B supportive services award.

(n) (1) On July 1, 2018, notwithstanding the provisions of any other statute, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state general fund and shall record a corresponding credit to the state general fund in the net amount equal to \$32,689,900 minus the amount transferred on or before June 30, 2018, pursuant to section 52(m)(8)(B) of this act, to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2028, for state agencies.

(2) On or before September 1, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state general fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state general fund during fiscal year 2019.

(3) (A) (i) Prior to August 15, 2018, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state general fund that has a specific expenditure limitation prescribed for fiscal year 2019 and that is in excess of the amount authorized under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2019.

(ii) On or before June 30, 2019, the director of the budget shall determine and certify to the director of accounts and reports the amount reappropriated in each account of the state general fund of a state agency, other than any regents agency, from the state

general fund that has no specific expenditure limitation prescribed for the fiscal year, that is in excess of the amount estimated under the approved budget of expenditures to be expended from such reappropriated amount for fiscal year 2019, and that is determined by the director of the budget not to be needed for the purpose for which such amount was originally budgeted, including, but not limited to, actual or projected cost savings as a result of completed, canceled or modified projects, programs or operations.

(iii) As used in paragraphs (i) and (ii) of this subsection (n)(3)(A), "specific expenditure limitation prescribed for the fiscal year" includes any case in which no expenditures may be made from such reappropriated balance except upon approval by the state finance council.

(B) Prior to August 15, 2018, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all unanticipated lapses of moneys which were appropriated or reappropriated from the state general fund for fiscal year 2018 and which were not reappropriated for fiscal year 2019, as determined by the director of the budget: *Provided*, That, as used in this subsection (n)(3)(B), "unanticipated lapses of moneys" shall not include any amount lapsed from the state general fund pursuant to explicit language in an appropriation act of the 2017 or 2018 regular session of the legislature or any amount lapsed from the state general fund for which specific reappropriation language was deliberately not included in any appropriation act of the 2017 or 2018 regular session of the legislature.

(C) Prior to August 15, 2018, the director of the budget shall determine and certify to the director of accounts and reports the aggregate of all amounts of unencumbered balances in accounts of the state general fund that were first encumbered during a fiscal year commencing prior to July 1, 2017, that were released during fiscal year 2018, and that were not specifically reappropriated by an appropriation act of the 2017 or 2018 regular session of the legislature.

(4) (A) On August 15, 2018, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (n)(3)(A)(i), the appropriation for fiscal year 2019 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2019, by this or other appropriation act of the 2017 or 2018 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (n)(3)(A)(i).

(B) On June 30, 2019, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under subsection (n)(3)(A)(ii), the appropriation for fiscal year 2019 for each account of the state general fund that is appropriated or reappropriated for the fiscal year ending June 30, 2019, by this or other appropriation act of the 2017 or 2018 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under subsection (n)(3)(A)(ii).

(5) At the same time as the director of the budget transmits each certification to the director of accounts and reports pursuant to subsection (n)(3), the director of the budget shall transmit a copy of such certification to the director of legislative research.

(6) (A) Prior to August 15, 2018, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available

in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27th payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2018, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection (n) (6), the appropriation for fiscal year 2019 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2019, by this or other appropriation act of the 2017 or 2018 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection (n)(6).

(7) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the state agencies for fiscal year 2019.

(8) (A) On or before September 1, 2018, after receipt of each certification by the director of the budget pursuant to this subsection, the director of accounts and reports shall transfer and debit to the 27th payroll adjustment account of the state general fund, which is hereby established in the state general fund, by an amount equal to the aggregate of the amounts certified by the director of the budget pursuant to subsection (n)(3) and subsection (n)(6) in accordance with such certifications.

(B) On September 1, 2018, the director of accounts and reports shall transfer the balance of the 27th payroll adjustment account of the state general fund to the master account of the state general fund: *Provided, however*; That the amount transferred shall not exceed the amount of the then outstanding balance of the state treasurer's receivables for the state general fund.

(C) On September 1, 2018, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the 27th payroll adjustment account of the state general fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection during fiscal year 2019.

(D) On June 30, 2019, the director of accounts and reports shall record a credit to

the state treasurer's receivables for the state general fund and shall record a corresponding debit to the state general fund in the amount of the outstanding receivable created to finance the cost of the 27th payroll chargeable to the fiscal year ending June 30, 2028.

(E) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the 27th payroll adjustment account of the state general fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state general fund by the state treasurer in accordance with the notice thereof.

(9) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, university of Kansas, university of Kansas medical center and Wichita state university.

(10) The provisions of this subsection shall not apply to:

(A) The health care stabilization fund of the health care stabilization fund board of governors;

(B) any money held in trust in a trust fund or held in trust in any other special revenue fund or funds of any state agency;

(C) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27th payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;

(D) any account of the Kansas educational building fund or the state institutions building fund; or

(E) any fund in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(11) Each amount transferred from any special revenue fund of any state agency, including any regents agency, to the state general fund pursuant to this subsection, is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(o) During the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, for the secretary of administration to fix, charge and collect fees for architectural, engineering

and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2018, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget which shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2019, except that such amount shall be proportionally adjusted during fiscal year 2019 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2019. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2019 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2019, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2019.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) (1) On or before June 30, 2019, the secretary of administration: (A) Shall determine the amount of moneys appropriated in each account of the state general fund or each special revenue fund or funds appropriated for fiscal year 2019 for the cabinet agency that are not required to be expended or encumbered for an information technology project for the fiscal year ending June 30, 2019; and (B) shall certify each such amount to the director of the budget, accompanied by such other information with respect thereto as may be prescribed by the director of the budget: *Provided*, That, on or before June 30, 2019, the director of the budget shall certify each amount appropriated from the state general fund, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon receipt of such certification, the amount so certified is hereby lapsed: *Provided further*, That, on or before June 30, 2019, the director of the budget shall certify each amount appropriated from each special revenue fund or funds, which is certified by the secretary of administration pursuant to this section, to the director of accounts and reports and, upon

receipt of such certification, the amount so certified is hereby transferred to the state general fund: *And provided further*, That the expenditure limitations on the accounts in the children's initiatives fund, the state economic development initiatives fund and the state water plan fund shall be decreased by the amount of such moneys transferred to the state general fund from each such account: *And provided further*, That, at the same time as the director of the budget transmits each such certification to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research: *And provided further*, That the aggregate of all amounts lapsed from appropriations from the state general fund and amounts transferred from special revenue funds pursuant to this subsection, shall be equal to \$5,000,000 or more.

(2) As used in this section: (A) "Cabinet agency" means the (1) department of administration, (2) department of revenue, (3) department of commerce, (4) department of labor, (5) department of health and environment, (6) Kansas department for aging and disability services, (7) Kansas department for children and families, (8) department of corrections, (9) adjutant general, (10) Kansas highway patrol, (11) Kansas department of agriculture, (12) Kansas department of wildlife, parks and tourism, and (13) department of transportation; and

(B) "information technology projects" shall include information technology related expenditures including: (1) Services, labor (full-time, part-time or contract), contract payments, purchases related to planning, designing, developing, testing, implementing, training, operating, supporting, securing and maintaining any of the data, applications and/or technologies listed in this subsection; (2) all data under the custodianship of the executive branch; (3) all computer applications under the custodianship of the executive branch; and (4) all technology, digital information involving any form of computer storage, including, but not limited to, mainframes, servers, networks and network-related items, including switches, routers, cables, fiber, telecommunications and personal computers, laptops, tablet computers, mobile phones, digital storage in any form or format, printers and fax machines and cloud computing.

(r) (1) On July 1, 2018, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2019, except that such amount shall be proportionally adjusted during fiscal year 2019 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2019. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2018 and fiscal year 2019 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2019 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2019, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2019.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (s) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(s) (1) On July 1, 2018, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2019, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2019 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2019, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2019.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (r) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

Sec. 67.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (173-00-6110-4030).....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (173-00-6147-4080).....No limit

Public safety broadband services fund (173-00-2125-2125).....No limit

CJIS Byrne Grant – federal fund (173-00-3057-3200).....No limit

GIS contracting services fund (173-00-2163-2163).....No limit

State and local implementation grant – federal fund (173-00-3576-3576).....No limit

Sec. 68.

OFFICE OF INFORMATION TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (173-00-6110-4030).....No limit

Provided, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (173-00-6147-4080).....No limit

Public safety broadband services fund (173-00-2125-2125).....No limit

CJIS Byrne Grant – federal fund (173-00-3057-3200).....No limit

GIS contracting services fund (173-00-2163-2163).....No limit

State and local implementation grant – federal fund (173-00-3576-3576).....No limit

Sec. 69.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582-2580).....No limit

Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 70.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582-2580).....No limit

Provided, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$100.

Sec. 71.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (562-00-1000-0103).....\$773,973

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....\$3,000

BOTA filing fee fund (562-00-2240-2240).....\$1,044,961

Sec. 72.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (562-00-1000-0103).....\$780,425

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....\$1,200

BOTA filing fee fund (562-00-2240-2240).....\$1,061,172

Sec. 73.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 97(c) of chapter 12 of the 2016 Session Laws of Kansas on the division of motor vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby decreased from \$47,989,769 to \$47,520,804.

Sec. 74.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (565-00-1000-0303).....\$15,110,326

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010).....No limit

Division of vehicles operating fund (565-00-2089-2020).....\$45,858,922

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2018: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers fee fund (565-00-2189-2030).....No limit

Kansas qualified agricultural ethyl alcohol producer incentive fund (565-00-2215).....No limit

Division of vehicles modernization fund (565-00-2390-2390).....No limit

Kansas retail dealer incentive fund (565-00-2387-2380).....No limit

Local report fee fund (565-00-2249-2160).....No limit

Conversion of materials and equipment fund (565-00-2417-2050).....No limit

Forfeited property fee fund (565-00-2428-2200).....No limit

Setoff services revenue fund (565-00-2617-2080).....No limit

Publications fee fund (565-00-2663-2090).....No limit

Child support enforcement contractual agreement fund (565-00-2683-2110).....No limit

County treasurers' vehicle licensing fee fund (565-00-2687-2120).....No limit

Tax amnesty recovery fund (565-00-2462-2462).....No limit

Reappraisal reimbursement fund (565-00-2693-2130).....No limit

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000).....No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees (565-00-2021-2060).....No limit

Earned income tax credits – TANF –
federal fund (565-00-3345-3340).....No limit

Central stores fund (565-00-2251-2250).....No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*; That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Commercial vehicle information systems/network
federal fund (565-00-3244-3244).....No limit

Temporary assistance – needy families
federal fund (565-00-3323-3323).....No limit

Highway planning construction federal
fund (565-00-3333-3333).....No limit

Immigration MOU federal
fund (565-00-3497-3497).....No limit

Commercial drivers licensing state program
federal fund (565-00-3515-3515).....No limit

DL security grant program (565-00-3780-3150).....No limit

State and community highway
safety fund (565-00-3815-3815).....No limit

Microfilming fund (565-00-2281-2270).....No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*; That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds
fund (565-00-7556-5180).....No limit

Liquor excise tax guarantee

bond fund (565-00-7604-5190).....	No limit
Non-resident contractors cash	
bond fund (565-00-7605-5200).....	No limit
Bond guaranty fund (565-00-7606-5210).....	No limit
Interstate motor fuel user cash	
bond fund (565-00-7616-5220).....	No limit
Motor fuel distributor cash	
bond fund (565-00-7617-5230).....	No limit
Special county mineral production	
tax fund (565-00-7668-5280).....	No limit
County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds suspense	
fund (565-00-7753-5290).....	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax refund	
fund (565-00-9035-9350).....	No limit
Cereal malt beverage tax refund	
fund (565-00-9036-9360).....	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax refund	
fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax refund	
fund (565-00-9041-9400).....	No limit

Cigarette/tobacco products regulation fund (565-00-2294-2190).....No limit

Motor carrier tax refund fund (565-00-9042-9410).....No limit

Car company tax fund (565-00-9043-9420).....No limit

Protested motor carrier taxes fund (565-00-9044-9430).....No limit

Tobacco products refund fund (565-00-9045-9440).....No limit

Transient guest tax refund fund (established by K.S.A. 12-1694a) (565-00-9066-9450).....No limit

Interstate motor fuel taxes clearing fund (565-00-9070-9710).....No limit

Motor carrier permits escrow clearing fund (565-00-7581-5400).....No limit

Transient guest tax refund fund established by K.S.A. 12-16,100 (565-00-9074-9480).....No limit

Interstate motor fuel taxes refund fund (565-00-9069-9010).....No limit

Interfund clearing fund (565-00-9096-9510).....No limit

Local alcoholic liquor clearing fund (565-00-9100-9700).....No limit

International registration plan distribution clearing fund (565-00-9103-9520).....No limit

Rental motor vehicle excise tax refund fund (565-00-9106-9730).....No limit

International fuel tax agreement clearing fund (565-00-9072-9015).....No limit

Mineral production tax refund fund (565-00-9121-9540).....No limit

Special fuels tax refund fund (565-00-9122-9550).....No limit

LP-gas motor fuels refund fund (565-00-9123-9560).....No limit

Local alcoholic liquor refund fund (565-00-9124-9570).....No limit

Sales tax clearing fund (565-00-9148-9580).....No limit

Rental motor vehicle excise tax clearing fund (565-00-9187-9640).....No limit

VIPS/CAMA technology hardware fund (565-00-2244-2170).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund (565-00-2244-2170) for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax (565-00-9190-9610).....No limit

City and county compensating use tax clearing fund (565-00-9191-9620).....No limit

County and city transient guest tax clearing fund (565-00-9192-9630).....No limit

Automated tax systems fund (565-00-9079-9020).....No limit

Dyed diesel fuel fee fund (565-00-2286-2280).....No limit

Electronic databases fee fund (565-00-2287-2180).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or of any other statute, expenditures may be made from the electronic databases fee fund (565-00-2287-2180) for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund (565-00-2084-2140).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund (565-00-9082-9501).....No limit

Distinctive license plate fund (565-00-2232-2230).....No limit

Repossessed certificates of title
fee fund (565-00-2015-2070).....No limit

Hazmat fee fund (565-00-2365-2300).....No limit

Intra-governmental service
fund (565-00-6132-6101).....No limit

Community improvement district sales tax
administration fund (565-00-7675-5300).....No limit

Community improvement district sales tax
refund fund (565-00-9049-9455).....No limit

Community improvement district sales tax
clearing fund (565-00-9189-9655).....No limit

Drivers license first responders indicator
federal fund (565-00-3179-3179).....No limit

Enforcing underage drinking federal fund (565-00-3219-3219).....	No limit
FDA tobacco program federal fund (565-00-3330-3330).....	No limit
Commercial vehicle administrative system fund (565-00-2098-2098).....	No limit
State charitable gaming regulation fund (565-00-2381-2385).....	No limit
Charitable gaming refund fund (565-00-9001-9001).....	No limit
Commercial driver's license drive test fee fund (565-00-2816-2816).....	No limit
DUI-IID designation fund (565-00-2380-2370).....	No limit
MSA compliance fund.....	\$1,293,336

(c) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, the director of accounts and reports shall transfer \$11,513,742 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2017, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2017, the director of accounts and reports shall transfer \$20,400 from the social welfare fund (629-00-2195-0110) and \$39,600 from the federal child support enforcement fund (629-00-3316-9100) of the Kansas department for children and families to the child support enforcement contractual agreement fund (565-00-2683-2110) of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2017, the director of accounts and reports shall transfer \$2,172,408 from the division of vehicles operating fund (565-00-2089-2020) of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or

any other statute, for the fiscal year ending June 30, 2018, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$500,000 to the digital imaging program fund (173-00-6121-6121) of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2018, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund (083-00-2457-2400) of the attorney general – Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2018, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(j) On July 1, 2017, the real ID program federal fund of the department of revenue is hereby redesignated as the DL security grant program fund (565-00-3780-3150) of the department of revenue.

(k) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,293,336 from the Kansas endowment for youth fund to the MSA compliance fund of the department of revenue.

(l) On August 1, 2017, and on the first day of each month thereafter during fiscal year 2018, the secretary of revenue shall report to the director of the budget and the director of the legislative research department: (1) The amount of any increase in the amount of taxes, interest and penalties collected in the immediately preceding month that is attributable to the implementation of the automated tax systems authorized by K.S.A. 75-5147, and amendments thereto; and (2) that portion of such monthly increase in the amount of taxes, interest and penalties that is currently necessary to pay one or more vendors pursuant to contracts entered into under K.S.A. 75-5147, and amendments thereto, for the acquisition or implementation of such automated tax systems. Upon receipt of each such report from the secretary of revenue, the director of the budget shall certify to the director of accounts and reports the amount reported that is necessary to be paid to such vendors and the director of accounts and reports shall transfer the amount certified from the state general fund to the automated tax systems fund of the department of revenue.

Sec. 75.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (565-00-1000-0303).....\$15,008,516

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Sand royalty fund (565-00-2087-2010).....No limit
- Division of vehicles operating fund (565-00-2089-2020).....\$45,912,748

Provided, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2019: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

- Vehicle dealers and manufacturers fee fund (565-00-2189-2030).....No limit

- Division of vehicles modernization fund (565-00-2390-2390).....No limit

- Kansas retail dealer incentive fund (565-00-2387-2380).....No limit

- Local report fee fund (565-00-2249-2160).....No limit

- Conversion of materials and equipment fund (565-00-2417-2050).....No limit

- Forfeited property fee fund (565-00-2428-2200).....No limit

- Setoff services revenue fund (565-00-2617-2080).....No limit

- Publications fee fund (565-00-2663-2090).....No limit

- Child support enforcement contractual agreement fund (565-00-2683-2110).....No limit

County treasurers' vehicle licensing fee fund (565-00-2687-2120).....No limit

Tax amnesty recovery fund (565-00-2462-2462).....No limit

Reappraisal reimbursement fund (565-00-2693-2130).....No limit

Provided, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*; That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state court of tax appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000).....No limit

Provided, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions and attorney fees (565-00-2021-2060).....No limit

Earned income tax credits – TANF – federal fund (565-00-3345-3340).....No limit

Central stores fund (565-00-2251-2250).....No limit

Provided, That expenditures may be made from the central stores fund to operate and maintain a central stores activity to sell supplies to other state agencies: *Provided further*; That all moneys received for such supplies shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the central stores fund.

Commercial vehicle information systems/network

federal fund (565-00-3244-3244).....No limit

Temporary assistance – needy families
federal fund (565-00-3323-3323).....No limit

Highway planning construction federal fund (565-00-3333-3333).....No limit

Immigration MOU federal
fund (565-00-3497-3497).....No limit

Commercial drivers licensing state program
federal fund (565-00-3515-3515).....No limit

DL security grant
program (565-00-3780-3150).....No limit

State and community highway
safety fund (565-00-3815-3815).....No limit

Microfilming fund (565-00-2281-2270).....No limit

Provided, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*, That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust bonds
fund (565-00-7556-5180).....No limit

Liquor excise tax guarantee
bond fund (565-00-7604-5190).....No limit

Non-resident contractors cash
bond fund (565-00-7605-5200).....No limit

Bond guaranty fund (565-00-7606-5210).....No limit

Interstate motor fuel user cash
bond fund (565-00-7616-5220).....No limit

Motor fuel distributor cash bond

fund (565-00-7617-5230).....	No limit
Special county mineral production tax fund (565-00-7668-5280).....	No limit
County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds suspense fund (565-00-7753-5290).....	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax refund fund (565-00-9035-9350).....	No limit
Cereal malt beverage tax refund fund (565-00-9036-9360).....	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax refund fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax refund fund (565-00-9041-9400).....	No limit
Cigarette/tobacco products regulation fund (565-00-2294-2190).....	No limit
Motor carrier tax refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier taxes fund (565-00-9044-9430).....	No limit

Tobacco products refund fund (565-00-9045-9440).....No limit

Transient guest tax refund fund established by K.S.A. 12-1694a (565-00-9066-9450).....No limit

Interstate motor fuel taxes clearing fund (565-00-9070-9710).....No limit

Motor carrier permits escrow clearing fund (565-00-7581-5400).....No limit

Transient guest tax refund fund established by K.S.A. 12-16,100 (565-00-9074-9480).....No limit

Interstate motor fuel taxes refund fund (565-00-9069-9010).....No limit

Interfund clearing fund (565-00-9096-9510).....No limit

Local alcoholic liquor clearing fund (565-00-9100-9700).....No limit

International registration plan distribution clearing fund (565-00-9103-9520).....No limit

Rental motor vehicle excise tax refund fund (565-00-9106-9730).....No limit

International fuel tax agreement clearing fund (565-00-9072-9015).....No limit

Mineral production tax refund fund (565-00-9121-9540).....No limit

Special fuels tax refund fund (565-00-9122-9550).....No limit

LP-gas motor fuels refund fund (565-00-9123-9560).....No limit

Local alcoholic liquor refund

fund (565-00-9124-9570).....No limit

Sales tax clearing fund (565-00-9148-9580).....No limit

Rental motor vehicle excise tax clearing fund (565-00-9187-9640).....No limit

VIPS/CAMA technology hardware fund (565-00-2244-2170).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.

County and city retailers sales tax clearing fund – county and city sales tax (565-00-9190-9610).....No limit

City and county compensating use tax clearing fund (565-00-9191-9620).....No limit

County and city transient guest tax clearing fund (565-00-9192-9630).....No limit

Automated tax systems fund (565-00-9079-9020).....No limit

Dyed diesel fuel fee fund (565-00-2286-2280).....No limit

Electronic databases fee fund (565-00-2287-2180).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.

Photo fee fund (565-00-2084-2140).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 2016 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.

Estate tax abatement refund fund (565-00-9082-9501).....No limit

Distinctive license plate fund (565-00-2232-2230).....No limit

Repossessed certificates of title fee fund (565-00-2015-2070).....No limit

Hazmat fee fund (565-00-2365-2300).....No limit

Intra-governmental service fund (565-00-6132-6101).....No limit

Community improvement district sales tax administration fund (565-00-7675-5300).....No limit

Community improvement district sales tax refund fund (565-00-9049-9455).....No limit

Community improvement district sales tax clearing fund (565-00-9189-9655).....No limit

Drivers license first responders indicator federal fund (565-00-3179-3179).....No limit

Enforcing underage drinking federal fund (565-00-3219-3219).....No limit

FDA tobacco program federal fund (565-00-3330-3330).....No limit

Commercial vehicle administrative system fund (565-00-2098-2098).....	No limit
State charitable gaming regulation fund (565-00-2381-2385).....	No limit
Charitable gaming refund fund (565-00-9001-9001).....	No limit
Commercial driver's license drive test fee fund (565-00-2816-2816).....	No limit
DUI-IID designation fund (565-00-2380-2370).....	No limit
MSA compliance fund.....	\$1,333,220

(c) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, the director of accounts and reports shall transfer \$11,513,742 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2018, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) On August 1, 2018, the director of accounts and reports shall transfer \$20,400 from the social welfare fund (629-00-2195-0110) and \$39,600 from the federal child support enforcement fund (629-00-3316-9100) of the Kansas department for children and families to the child support enforcement contractual agreement (565-00-2683-2110) fund of the department of revenue to reimburse costs of administrative expenses of child support enforcement activities under the agreement.

(f) On July 1, 2018, the director of accounts and reports shall transfer \$2,172,408 from the division of vehicles operating fund (565-00-2089-2020) of the department of revenue to the state general fund.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2019, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$500,000 to the digital imaging program fund (173-00-6121-6121) of the department of administration.

(h) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2019, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice

information system line fund (083-00-2457-2400) of the attorney general – Kansas bureau of investigation.

(i) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2019, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(j) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,333,220 from the Kansas endowment for youth fund to the MSA compliance fund of the department of revenue.

(k) On July 1, 2018, and on the first day of each month thereafter during fiscal year 2019, the secretary of revenue shall report to the director of the budget and the director of the legislative research department: (1) The amount of any increase in the amount of taxes, interest and penalties collected in the immediately preceding month that is attributable to the implementation of the automated tax systems authorized by K.S.A. 75-5147, and amendments thereto; and (2) that portion of such monthly increase in the amount of taxes, interest and penalties that is currently necessary to pay one or more vendors pursuant to contracts entered into under K.S.A. 75-5147, and amendments thereto, for the acquisition or implementation of such automated tax systems. Upon receipt of each such report from the secretary of revenue, the director of the budget shall certify to the director of accounts and reports the amount reported that is necessary to be paid to such vendors and the director of accounts and reports shall transfer the amount certified from the state general fund to the automated tax systems fund of the department of revenue.

Sec. 76.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 91(b) of chapter 104 of the 2015 Session Laws of Kansas to be transferred from the lottery operating fund to the state gaming revenues fund during the fiscal year ending June 30, 2017, is hereby decreased from \$75,500,000 to \$74,000,000.

Sec. 77.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....No limit

Lottery operating fund (450-00-5123).....No limit

Provided, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund (450-00-5128).....	No limit
Lottery gaming facility manager fund (450-00-5129-5150).....	No limit
Expanded lottery act revenues fund (450-00-5127-5120).....	\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2017; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2017, and on or before the 15th of each month thereafter through June 15, 2018: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2018: *Provided, however*, That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2018 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2018, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*, That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2018 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2018 is equal to or more than \$75,000,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2018 pursuant to this subsection shall be equal to or more than \$75,000,000: *And provided further*, That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2018.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute and in addition to the requirements of subsection (b) of this section, on or after June 15, 2018, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the special veterans benefits game under K.S.A. 2016 Supp. 74-8724, and amendments thereto, during fiscal year 2018: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit

attributed to the special veterans benefits game from the state gaming revenues fund to the state general fund: *Provided further*, That, on or before June 25, 2018, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2016 Supp. 74-8724, and amendments thereto, during fiscal year 2018: *And provided further*, That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2018, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

Sec. 78.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Lottery prize payment fund (450-00-7381).....No limit

Lottery operating fund (450-00-5123).....No limit

Provided, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.

Expanded lottery receipts fund (450-00-5128).....No limit

Lottery gaming facility manager fund (450-00-5129-5150).....No limit

Expanded lottery act revenues fund (450-00-5127-5120).....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2018; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2018, and on or before the 15th of each month thereafter through June 15, 2019: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount

certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund for the fiscal year ending June 30, 2019: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2019 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15th of each month through June 15, 2019, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2019 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2019 is equal to or more than \$76,000,000: *And provided further*; That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2019 pursuant to this subsection shall be equal to or more than \$76,000,000: *And provided further*; That the transfers prescribed by this subsection shall be the maximum amount possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*; That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2019.

(c) Notwithstanding the provisions of K.S.A. 79-4801, and amendments thereto, or any other statute, and in addition to the requirements of subsection (b), on or after June 15, 2019, upon certification by the executive director of the lottery, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund the amount of total profit attributed to the special veterans benefits game under K.S.A. 2016 Supp. 74-8724, and amendments thereto, during fiscal year 2019: *Provided*, That the director of accounts and reports shall transfer immediately thereafter such amount of total profit attributed to the special veterans benefits game from the state gaming revenues fund (173-00-9011-9100) to the state general fund: *Provided further*; That, on or before June 25, 2019, the executive director of the lottery shall certify to the director of accounts and reports the amount equal to the amount of total profit attributed to the special veterans benefits game under K.S.A. 2016 Supp. 74-8724, and amendments thereto, during fiscal year 2019: *And provided further*; That, at the same time as such certification is transmitted to the director of accounts and reports, the executive director of the lottery shall transmit a copy of such certification to the director of the budget and the director of legislative research.

(d) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2019, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

Sec. 79.

GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....No limit

Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense fund (553-00-2616-2600).....No limit

Racing applicant deposit fund (553-00-7383-7000).....No limit

Kansas horse breeding development fund (553-00-2516-2300).....No limit

Kansas greyhound breeding development fund (553-00-2601-2500).....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 2016 Supp. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*; That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 2016 Supp. 74-8767(b), and amendments thereto.

Racing investigative expense fund (553-00-2570-2400).....No limit

Horse fair racing benefit fund (553-00-2296-3000).....No limit

Tribal gaming fund (553-00-2320-3700).....No limit

Provided, That expenditures from the tribal gaming fund for official hospitality shall

not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535).....No limit

Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement fund (553-00-2546-2800).....No limit

Live greyhound racing purse supplement fund (553-00-2557-2900).....No limit

Greyhound promotion and development fund (553-00-2561-3100).....No limit

Gaming background investigation fund (553-00-2682-2680).....No limit

Gaming machine examination fund (553-00-2998-2990).....No limit

Education and training fund (553-00-2459-2450).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement fund (553-00-2734-2690).....No limit

Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and

forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however;* That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further;* That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2017, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided,* That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2018 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2018 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2018, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2018 for the Kansas racing and gaming commission by this or other appropriation act of the 2017 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2018 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the Kansas department of wildlife, parks and tourism that is directed to be made on or before June 30, 2018, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2018, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2018, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*; That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

(h) On July 1, 2017, during the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensating of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 80.

KANSAS RACING AND
GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....No limit

Provided, That expenditures from the state racing fund for official hospitality shall not exceed \$2,500.

Racing reimbursable expense
fund (553-00-2616-2600).....No limit

Racing applicant deposit
fund (553-00-7383-7000).....No limit

Kansas horse breeding development
fund (553-00-2516-2300).....No limit

Kansas greyhound breeding development
fund (553-00-2601-2500).....No limit

Provided, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 2016 Supp. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds which win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*; That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 2016 Supp. 74-8767(b), and amendments thereto.

Racing investigative expense
fund (553-00-2570-2400).....No limit

Horse fair racing benefit
fund (553-00-2296-3000).....No limit

Tribal gaming fund (553-00-2320-3700).....No limit

Provided, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation
fund (553-00-2535-2700).....No limit

Provided, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse supplement
fund (553-00-2546-2800).....No limit

Live greyhound racing purse supplement
fund (553-00-2557-2900).....No limit

Greyhound promotion and development
fund (553-00-2561-3100).....No limit

Gaming background investigation
fund (553-00-2682-2680).....No limit

Gaming machine examination
fund (553-00-2998-2990).....No limit

Education and training
fund (553-00-2459-2450).....No limit

Provided, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*, That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*, That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling enforcement
fund (553-00-2734-2690).....No limit

Provided, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*, That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*, That

any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2018, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund (553-00-2320-3700) to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2019 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund of the Kansas racing and gaming commission during fiscal year 2019 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2019, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills which are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2019 for the Kansas racing and gaming commission by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2019 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the Kansas department of wildlife, parks and tourism that is directed to be made on or before June 30, 2019, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2019, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2019, from the Kansas greyhound breeding development fund to the greyhound promotion

and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from the parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

(h) On July 1, 2018, during the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 74-8803, and amendments thereto, or any other statute, expenditures shall be made by the above agency from any special revenue fund or funds for the purposes of compensating of members of the Kansas racing and gaming commission for performing the duties and functions of the commission, based on the daily rate of \$88.66 as provided in K.S.A. 46-137a, and amendments thereto. The members of the commission shall continue to be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

Sec. 81.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Credit monitoring for AJLA clients.....\$1,200,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the credit monitoring for AJLA clients account is hereby reappropriated for fiscal year 2018.

Sec. 82.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

KBA grant commitments (300-00-1000-0800).....\$2,800,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the KBA grant commitments account is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

Older Kansans employment program (300-00-1900-1140).....\$242,515

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the older Kansans employment program account is hereby reappropriated for fiscal year 2018.

Rural opportunity zones program (300-00-1900-1150).....\$1,622,939

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2018.

Senior community service employment program (300-00-1900-1160).....\$7,622

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the senior community service employment program account is hereby reappropriated for fiscal year 2018.

Strong military bases program (300-00-1900-1170).....\$195,047

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the strong military bases program account is hereby reappropriated for fiscal year 2018.

Governor's council of economic advisors (300-00-1900-1185).....\$193,216

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2018.

Creative arts industries commission (300-00-1900-1188).....\$188,442

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in

the creative arts industries commission account is hereby reappropriated for fiscal year 2018.

Operating grant (including official hospitality) (300-00-1900-1110).....\$7,976,452

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190).....\$500,000

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467).....No limit

Kan-grow engineering fund – KU (300-00-2494-2494).....\$3,500,000

Kan-grow engineering fund – KSU (300-00-2494-2495).....\$3,500,000

Kan-grow engineering fund – WSU (300-00-2494-2496).....\$3,500,000

Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....No limit

Governor's council of economic advisors private operations fund (300-00-2761-2701).....No limit

Publication and other sales fund (300-00-2048).....No limit

Conversion of equipment and materials fund (300-00-2411-2220).....No limit

Conference registration and disbursement fund (300-00-2049).....No limit

Reimbursement and recovery fund (300-00-2275).....No limit

Community development block grant – federal fund (300-00-3669).....No limit

National main street center fund (300-00-7325-7000).....No limit

IMPACT program services fund (300-00-2176).....No limit

IMPACT program repayment fund (300-00-7388).....No limit

Kansas partnership fund (300-00-7525-7020).....No limit

General fees fund (300-00-2310).....No limit

Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Athletic fee fund (300-00-2599-2500).....No limit

WIOA adult – federal fund (300-00-3270).....No limit

WIOA youth activities – federal fund (300-00-3039).....No limit

WIOA dislocated workers – federal fund (300-00-3428).....No limit

Trade adjustment assistance – federal

fund (300-00-3273).....No limit

Disabled veterans outreach program –
federal fund (300-00-3274-3242).....No limit

Local veterans employment
representative program –
federal fund (300-00-3274-3240).....No limit

Wagner Peyser employment services –
federal fund (300-00-3275).....No limit

Senior community service
employment program –
federal fund (300-00-3100-3510).....No limit

Indirect cost – federal
fund (300-00-2340-2300).....No limit

Temporary labor certification foreign
workers – federal fund (300-00-3448).....No limit

Work opportunity tax credit –
federal fund (300-00-3447-3447).....No limit

American job link alliance –
federal fund (300-00-3100-3516).....No limit

American job link alliance job corps –
federal fund (300-00-3100-3512).....No limit

Child care/development block grant –
federal fund (300-00-3028-3028).....No limit

Enterprise facilitation fund (300-00-2378-2710).....No limit

Unemployment insurance –
federal fund (300-00-3335).....No limit

State small business credit initiative –
federal fund (300-00-3567).....No limit

Creative arts industries commission
gifts, grants and bequests –
federal fund (300-00-3210-3218).....No limit

Kansas creative arts industries commission
checkoff fund (300-00-2031-2031).....No limit

Workforce data quality initiative –
federal fund (300-00-3237-3237).....No limit

AJLA special revenue
fund (300-00-2190-2190).....No limit

Workforce innovation –
federal fund (300-00-3581).....No limit

Reemployment connections initiative –
federal fund (300-00-3585).....No limit

SBA STEP grant – federal
fund (300-00-3573-3573).....No limit

Apprenticeship USA state accelerator –
federal fund (300-00-3949).....No limit

Kansas health profession opportunity project –
federal fund (300-00-3951).....No limit

Second chance grant – federal
fund (300-00-3895).....No limit

H-1B technical skills training grant –
federal fund (300-00-3400).....No limit

State broadband data development grant –
federal fund (300-00-3782-3700).....No limit

Transition assistance program grant –
federal fund (300-00-3451-3451).....No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2018, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of

commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2018, in accordance with the provisions of this or other appropriation act of the 2017 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2018 for the department of commerce as authorized by this or other appropriation act of the 2017 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2018 for official hospitality.

(f) During the fiscal year ending June 30, 2018, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2018 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2017, the director of accounts and reports shall transfer \$19,200,000 from the economic development initiatives fund (300-00-1900-1100) to the state general fund.

(h) (1) On July 1, 2017, the WIA adult – federal fund (300-00-3270-3205) of the department of commerce is hereby redesignated as the WIOA adult – federal fund of the department of commerce.

(2) On July 1, 2017, the WIA youth activities – federal fund (300-00-3039-3040) of the department of commerce is hereby redesignated as the WIOA youth activities – federal fund of the department of commerce.

(3) On July 1, 2017, the WIA dislocated workers – federal fund (300-00-3428-3430) of the department of commerce is hereby redesignated as the WIOA dislocated

workers – federal fund of the department of commerce.
Sec. 83.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

KBA grant commitments (300-00-1000-0800).....\$557,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the KBA grant commitments account is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:

Older Kansans employment
program (300-00-1900-1140).....\$242,540

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the older Kansans employment program account is hereby reappropriated for fiscal year 2019.

Rural opportunity zones
program (300-00-1900-1150)\$2,053,457

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2019.

Senior community service employment
program (300-00-1900-1160)\$7,647

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the senior community service employment program account is hereby reappropriated for fiscal year 2019.

Strong military bases
program (300-00-1900-1170).....\$195,093

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the strong military bases program account is hereby reappropriated for fiscal year 2019.

Governor's council of economic
advisors (300-00-1900-1185).....\$193,298

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2019.

Creative arts industries
commission (300-00-1900-1188).....\$188,604

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the creative arts industries commission account is hereby reappropriated for fiscal year 2019.

Operating grant (including official
hospitality) (300-00-1900-1110).....\$7,553,313

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190).....\$500,000

Provided, That any unencumbered balance in the public broadcasting grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program
fund (300-00-2467-2467).....No limit

Kan-grow engineering fund –
KU (300-00-2494-2494).....\$3,500,000

Kan-grow engineering fund –
KSU (300-00-2494-2495).....\$3,500,000

Kan-grow engineering fund –
WSU (300-00-2494-2496).....\$3,500,000

Kansas creative arts industries
commission special gifts
fund (300-00-7004-7004).....No limit

Governor's council of economic
advisors private operations
fund (300-00-2761-2701).....No limit

Publication and other sales
fund (300-00-2048).....No limit

Conversion of equipment and
materials fund (300-00-2411-2220).....No limit

Conference registration and disbursement
fund (300-00-2049).....No limit

Reimbursement and recovery
fund (300-00-2275).....No limit

Community development block grant –
federal fund (300-00-3669).....No limit

National main street center
fund (300-00-7325-7000).....No limit

IMPACT program services
fund (300-00-2176).....No limit

IMPACT program repayment
fund (300-00-7388).....No limit

General fees fund (300-00-2310).....No limit

Provided, That expenditures may be made from the general fees fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Athletic fee fund (300-00-2599-2500).....No limit

WIOA adult – federal fund (300-00-3270).....No limit

WIOA youth activities –
federal fund (300-00-3039).....No limit

WIOA dislocated workers –
federal fund (300-00-3428).....No limit

Trade adjustment assistance –
federal fund (300-00-3273).....No limit

Disabled veterans outreach program –
federal fund (300-00-3274-3242).....No limit

Local veterans employment
representative program –
federal fund (300-00-3274-3240).....No limit

Wagner Peyser employment services –
federal fund (300-00-3275).....No limit

Senior community service
employment program –
federal fund (300-00-3100-3510).....No limit

Indirect cost – federal
fund (300-00-2340-2300).....No limit

Temporary labor certification
foreign workers –
federal fund (300-00-3448).....No limit

Work opportunity tax credit –
federal fund (300-00-3447-3447).....No limit

American job link alliance –
federal fund (300-00-3100-3516).....No limit

American job link alliance job corps –
federal fund (300-00-3100-3512)No limit

Child care/development block grant –
federal fund (300-00-3028-3028).....No limit

Enterprise facilitation

fund (300-00-2378-2710).....No limit

Unemployment insurance –
federal fund (300-00-3335).....No limit

State small business credit initiative –
federal fund (300-00-3567).....No limit

Creative arts industries commission
gifts, grants and bequests –
federal fund (300-00-3210-3218).....No limit

Kansas creative arts industries commission
checkoff fund (300-00-2031-2031).....No limit

Workforce data quality initiative –
federal fund (300-00-3237-3237).....No limit

AJLA special revenue
fund (300-00-2190-2190).....No limit

Workforce innovation –
federal fund (300-00-3581).....No limit

Reemployment connections initiative –
federal fund (300-00-3585).....No limit

SBA STEP grant –
federal fund (300-00-3573-3573).....No limit

Apprenticeship USA state accelerator – federal
fund (300-00-3949).....No limit

Kansas health profession opportunity project –
federal fund (300-00-3951).....No limit

Second chance grant –
federal fund (300-00-3895).....No limit

H-1B technical skills training grant –
federal fund (300-00-3400).....No limit

State broadband data development grant – federal fund (300-00-3782-3700).....No limit

Transition assistance program grant – federal fund (300-00-3451-3451).....No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2019, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*; That all such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*; That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2019, in accordance with the provisions of this or other appropriation act of the 2017 or 2018 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2019 for the department of commerce as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2019 for official hospitality.

(f) During the fiscal year ending June 30, 2019, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2019 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) On July 1, 2018, the director of accounts and reports shall transfer \$19,200,000

from the economic development initiatives fund (300-00-1900-1100) to the state general fund.

Sec. 84.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 85.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

Provided, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 86.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (296-00-1000-0503).....\$302,178

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2018, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the

secretary of labor shall not exceed \$2,000.

Amusement ride safety\$267,399

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund (296-00-2124-2220).....\$14,681,786

Occupational health and safety – federal fund (296-00-3339-3210).....No limit

Employment security interest assessment fund (296-00-2771-2700).....No limit

Special employment security fund (296-00-2120-2080).....No limit

Employment security administration fund (296-00-3335-3100).....No limit

Wage claims assignment fee fund (296-00-2204-2240).....No limit

Department of labor special projects fund (296-00-2041-2105).....No limit

Federal indirect cost offset fund (296-00-2302-2280).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any statute to the contrary, during fiscal year 2018, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: *Provided further*; That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.

Employment security fund (296-00-7056-7200).....No limit

Labor force statistics federal fund (296-00-3742-3742).....No limit

Compensation and working conditions federal fund (296-00-3743-3743).....No limit

Employment services Wagner-Peyser funded activities federal fund (296-00-3275-3275).....No limit

Dispute resolution fund (296-00-2587-2270).....No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: *Provided further*; That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Indirect cost fund (296-00-2781-2781).....No limit

Workforce data quality initiative – federal fund (296-00-3237-3237).....No limit

Employment security fund clearing account (296-00-7055-7100).....No limit

Employment security fund benefit account (296-00-7054-7000).....No limit

Employment security fund – special suspense account (296-00-7057-7300).....No limit

Special wage payment clearing trust fund (296-00-7362-7500).....No limit

Economic adjustment assistance – federal fund (296-00-3415-3415).....No limit

Social security administration disability – federal fund (296-00-3309-3309).....No limit

Amusement ride safety fund.....No limit

Sec. 87.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (296-00-1000-0503).....\$304,183

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: Provided further, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2019, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-5413 et seq., and 75-4321 et seq., and amendments thereto: And provided further, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in the following account is hereby reappropriated for fiscal year 2019: Amusement ride safety.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation fee fund (296-00-2124-2220).....\$12,812,732

Occupational health and safety – federal fund (296-00-3339-3210).....No limit

Employment security interest assessment fund (296-00-2771-2700).....No limit

Special employment security fund (296-00-2120-2080).....No limit

Employment security administration fund (296-00-3335-3100).....No limit

Wage claims assignment fee fund (296-00-2204-2240).....No limit

Department of labor special projects fund (296-00-2041-2105).....No limit

Federal indirect cost offset fund (296-00-2302-2280).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any statute to the contrary, during fiscal year 2019, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: Provided further, That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.

Employment security fund (296-00-7056-7200).....No limit

Labor force statistics federal fund (296-00-3742-3742).....No limit

Compensation and working conditions federal fund (296-00-3743-3743).....No limit

Employment services Wagner-Peyser funded activities federal fund (296-00-3275-3275).....No limit

Dispute resolution fund (296-00-2587-2270).....No limit

Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: Provided further, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-5427, and amendments thereto, and for fact-finding under K.S.A. 72-5428, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.

Indirect cost fund (296-00-2781-2781).....No limit

Workforce data quality initiative – federal fund (296-00-3237-3237).....No limit

Employment security fund clearing account (296-00-7055-7100).....No limit

Employment security fund benefit account (296-00-7054-7000).....No limit

Employment security fund – special suspense account (296-00-7057-7300).....No limit

Special wage payment clearing trust fund (296-00-7362-7500).....No limit

Economic adjustment assistance – federal fund (296-00-3415-3415).....No limit

Social security administration disability – federal fund (296-00-3309-3309).....No limit

Amusement ride safety fund.....No limit

Sec. 88.

KANSAS COMMISSION ON VETERANS AFFAIRS OFFICE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 40(d) of chapter 12 of the 2016 Session Laws of Kansas on the federal long term care per diem fund (694-00-3232) of the Kansas commission on veterans affairs office is hereby increased from \$7,517,100 to no limit.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 40(c) of chapter 12 of the 2016 Session Laws of Kansas on the federal domiciliary per diem fund (694-00-3220) of the Kansas commission on veterans affairs office is hereby increased from \$1,599,150 to no limit.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 40(b) of chapter 12 of the 2016 Session Laws of Kansas on the soldiers' home fee fund (694-00-2241-2100) of the Kansas commission on veterans affairs office is hereby increased from \$1,569,621 to no limit.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 40(a) of chapter 12 of the 2016 Session Laws of Kansas on the veterans' home fee fund (694-00-2236-2200) of the Kansas

commission on veterans affairs office is hereby increased from \$3,064,113 to no limit.
Sec. 89.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures –
administration (694-00-1000-0103).....\$607,395

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Operating expenditures –
veteran services (694-00-1000-0203).....\$1,511,670

Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans
cemeteries (694-00-1000-0703).....\$576,215

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas
soldiers' home (694-00-1000-0403).....\$1,738,454

Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Operating expenditures – Kansas
veterans' home (694-00-1000-0503).....\$555,563

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Scratch lotto – Kansas veterans' home (694-00-1000-0300).....	\$114,024
Scratch lotto – veterans services (694-00-1000-0330).....	\$434,336
Scratch lotto – Kansas soldiers' home (694-00-1000-0310).....	\$145,609
Scratch lotto – veterans cemeteries (694-00-1000-0340).....	\$174,704
Veterans claim assistance program – service grants (694-00-1000-0903).....	\$600,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....	No limit
Soldiers' home benefit fund (694-00-7903-5400).....	No limit
Soldiers' home work therapy fund (694-00-7951-5600).....	No limit
Soldiers' home medicare fund (694-00-3168-3100).....	No limit
Soldiers' home medicaid fund (694-00-2464-2464).....	No limit

Veterans' home medicare
fund (694-00-3893-3893).....No limit

Veterans' home medicaid
fund (694-00-2469-2469).....No limit

Veterans' home fee
fund (694-00-2236-2200).....No limit

Veterans' home canteen
fund (694-00-7809-5300).....No limit

Veterans' home benefit
fund (694-00-7904-5500).....No limit

Soldiers' home outpatient clinic
fund (694-00-2258-2300).....No limit

State veterans cemeteries fee
fund (694-00-2332-2600).....No limit

State veterans cemeteries donations
and contributions
fund (694-00-7308-5200).....No limit

Outpatient clinic patient federal
reimbursement fund –
federal (694-00-3205-3300).....No limit

VA burial reimbursement fund –
federal (694-00-3212-3310).....No limit

Federal domiciliary per diem
fund (694-00-3220).....No limit

Federal long term care per diem
fund (694-00-3232).....No limit

Commission on veterans affairs
federal fund (694-00-3241-3340).....No limit

Kansas veterans memorials
fund (694-00-7332-5210).....No limit

Vietnam war era veterans' recognition
 award fund (694-00-7017-7000).....No limit

Kansas hometown heroes
 fund (694-00-7003-7001).....No limit

(c) (1) During the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2016 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2018, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2018 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2018, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 90.

VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures –
administration (694-00-1000-0103).....\$589,984

Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Operating expenditures – veteran services (694-00-1000-0203).....\$1,535,223

Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans
cemeteries (694-00-1000-0703).....\$587,050

Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas soldiers'
home (694-00-1000-0403).....\$1,760,812

Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Operating expenditures – Kansas veterans'
home (694-00-1000-0503).....\$532,059

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Scratch lotto – Kansas veterans'
home (694-00-1000-0300).....\$105,685

Scratch lotto – veterans services (694-00-1000-0330).....	\$459,354
Scratch lotto – Kansas soldiers' home (694-00-1000-0310).....	\$137,270
Scratch lotto – veterans cemeteries (694-00-1000-0340).....	\$216,399
Veterans claim assistance program – service grants (694-00-1000-0903).....	\$600,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*, That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....	No limit
Soldiers' home benefit fund (694-00-7903-5400).....	No limit
Soldiers' home work therapy fund (694-00-7951-5600).....	No limit
Soldiers' home medicare fund (694-00-3168-3100).....	No limit
Soldiers' home medicaid fund (694-00-2464-2464).....	No limit
Veterans' home medicare fund (694-00-3893-3893).....	No limit

Veterans' home medicaid fund (694-00-2469-2469).....No limit

Veterans' home fee fund (694-00-2236-2200).....No limit

Veterans' home canteen fund (694-00-7809-5300).....No limit

Veterans' home benefit fund (694-00-7904-5500).....No limit

Soldiers' home outpatient clinic fund (694-00-2258-2300).....No limit

State veterans cemeteries fee fund (694-00-2332-2600).....No limit

State veterans cemeteries donations and contributions fund (694-00-7308-5200).....No limit

Outpatient clinic patient federal reimbursement fund – federal (694-00-3205-3300).....No limit

VA burial reimbursement fund – federal (694-00-3212-3310).....No limit

Federal domiciliary per diem fund (694-00-3220).....No limit

Federal long term care per diem fund (694-00-3232).....No limit

Commission on veterans affairs federal fund (694-00-3241-3340).....No limit

Kansas veterans memorials fund (694-00-7332-5210).....No limit

Vietnam war era veterans' recognition award fund (694-00-7017-7000).....No limit

Kansas hometown heroes
 fund (694-00-7003-7001).....No limit

(c) (1) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 73-1231, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or K.S.A. 2016 Supp. 73-1233, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2019, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2019 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2019, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The executive director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 91.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
 DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (264-00-1000-0202).....\$3,573,673

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Operating expenditures (including official hospitality) – health (264-00-1000-0270).....\$1,936,104

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Vaccine purchases (264-00-1000-0900).....\$329,607

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Aid to local units (264-00-1000-0350).....\$4,805,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health projects (264-00-1000-0460).....\$8,570,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee

discounts based upon household income and serve any person regardless of ability to pay: *And provided further*, That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*, That of the moneys appropriated in the aid to local units – primary health projects account, \$8,190,272 shall be distributed for community-based primary care grants and \$230,418 shall be distributed for services provided by the Kansas association for the medically underserved.

Aid to local units – women's wellness (264-00-1000-0610).....\$94,296

Provided, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Breast cancer screening program (264-00-1000-1300).....\$219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Pregnancy maintenance initiative (264-00-1000-1100).....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Cerebral palsy posture seating (264-00-1000-1500).....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

PKU treatment (264-00-1000-1710).....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Teen pregnancy prevention activities (264-00-1000-0650).....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Any unencumbered balance in excess of \$100 as of June 30, 2017, in the following account is hereby reappropriated for fiscal year 2018: Ryan White matching funds (264-00-1000-1200).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Breast and cervical cancer program and detection – federal fund (264-00-3150-3350).....No limit

Health and environment training fee fund – health (264-00-2183-2160).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2018, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for

fiscal year 2018 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250).....No limit

Insurance statistical plan fund (264-00-2243-2840).....No limit

Health and environment publication fee fund – health (264-00-2541-2190).....No limit

Provided, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund (264-00-2653-2320).....No limit

Sponsored project overhead fund – health (264-00-2912-2710).....No limit

Tuberculosis elimination and laboratory – federal fund (264-00-17-3559-3559).....No limit

Maternity centers and child care facilities licensing fee fund (264-00-2731-2731).....No limit

Child care and development block grant – federal fund (264-00-3028-3450).....No limit

Federal supplemental funding for tobacco prevention and control – federal fund (264-00-3574-3574).....No limit

Coordinated chronic disease prevention and health promotion program – federal fund (264-00-3575-3575).....No limit

Office of rural health – federal fund (264-00-3031-3640).....No limit

Emergency medical services for children – federal fund (264-00-3292-3292).....No limit

Primary care offices –
federal fund (264-00-3293-3293).....No limit

Injury intervention –
federal fund (264-00-3294-3294).....No limit

Oral health workforce activities –
federal fund (264-00-3297-3297).....No limit

Rural hospital flex program –
federal fund (264-00-3298-3298).....No limit

Hospital bioterrorism preparedness –
federal fund (264-00-3398-3398).....No limit

Kansas coalition against sexual and domestic violence –
federal fund (264-00-17-3907-3907).....No limit

ARRA migrant health –
federal fund (264-00-3069-3070).....No limit

ARRA child care development –
federal fund (264-00-3028-3455).....No limit

ARRA Kansas health information
exchange project –
federal fund (264-00-17-3493-3493).....No limit

ARRA epidemiology and lab capacity –
federal fund (264-00-3150-3888).....No limit

ARRA women infants and children –
federal fund (264-00-3077-3105)No limit

ARRA primary care offices –
federal fund (264-00-3781-3781).....No limit

ARRA collaborative component I –
federal fund (264-00-3890-3891).....No limit

ARRA collaborative component III –
federal fund (264-00-17-3890-3892).....No limit

ARRA ambulatory surgical center ASC/HAI medicare – federal fund (264-00-3486-3486).....No limit

ARRA prevention of healthcare associated infections – federal fund (264-00-17-3486-3486).....No limit

Medicare – federal fund (264-00-3064-3062).....No limit

Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2018 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Migrant health program – federal fund (264-00-3069-3070).....No limit

Refugee health – federal fund (264-00-3071-4650).....No limit

Strengthen public health immunization infrastructure – federal fund (264-00-3568-3568).....No limit

Healthy homes and lead poisoning prevention – federal fund (264-00-3572-3572).....No limit

Children's mercy hospital lead program – federal fund (264-00-3152-3154).....No limit

Women, infants and children health program – federal fund (264-00-3077-3100).....No limit

WIC health program fund – senior farmer's market – federal (264-00-3077-3107).....No limit

Immunization and vaccines for children grants – federal fund (264-00-3747-3741).....No limit

Home visiting grant – federal fund (264-00-3503-3503).....No limit

Preventive health block grant –
federal fund (264-00-3614-3200).....No limit

Maternal and child health block grant –
federal fund (264-00-3616-3210).....No limit

National center for health statistics –
federal fund (264-00-3617-3220).....No limit

Title X family planning services program –
federal fund (264-00-3622-3270).....No limit

Comprehensive STD prevention systems –
federal fund (264-00-17-3070-3080).....No limit

Children with special health care needs –
federal fund (264-00-3763-3570).....No limit

Make a difference information network –
federal fund (264-00-3234-3234).....No limit

Ryan White Title II –
federal fund (264-00-3328-3310).....No limit

Bicycle helmet distribution –
federal fund (264-00-3815-3815).....No limit

Bicycle helmet revolving
fund (264-00-2575-2630).....No limit

SSA fee fund (264-00-2269-2030).....No limit

Lead certification cooperation agreement –
federal fund (264-00-17-3496-3496).....No limit

Childhood lead poisoning prevention program –
federal fund (264-00-3296-3296).....No limit

State implementation projects for prevention
of secondary conditions –
federal fund (264-00-3087-4405).....No limit

Title IV-E – federal fund (264-00-3326-3900).....	No limit
HIV prevention projects – federal fund (264-00-3740-3521).....	No limit
HIV/AIDS surveillance – federal fund (264-00-3399-3399).....	No limit
Infants & toddlers Title I – federal fund (264-00-2000-2107).....	No limit
Universal newborn hearing screening – federal fund (264-00-3459-3459).....	No limit
State loan repayment program – federal fund (264-00-3760-3755).....	No limit
Opt-out testing initiative – federal fund (264-00-3801-3801).....	No limit
Kansas system for early registration of volunteers – federal fund (264-00-17-3748-3749).....	No limit
Cardiovascular health programs – federal fund (264-00-3071-4760).....	No limit
Adult lead surveillance data – federal fund (264-00-3496-3496).....	No limit
Medical reserve corps contract – federal fund (264-00-17-3502-3502).....	No limit
Trauma fund (264-00-2513-2230).....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2018 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> ; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security – federal fund (264-00-3329-3320).....	No limit

Homeland security real ID –
federal fund (264-00-3140-3140).....No limit

Special education state grants –
federal fund (264-00-17-3234-3236).....No limit

Refugee assistance – federal fund (264-00-3378-3346).....No limit

Personal responsibility education program –
federal fund (264-00-3494-3494).....No limit

Mammography quality standards act –
federal fund (264-00-17-3511-3160).....No limit

Kansas vital records for quality
improvement – federal
fund (264-00-3098-3098).....No limit

Kansas early detection works breast &
cervical cancer screening services –
federal fund (264-00-3099-3099).....No limit

Kansas public health approaches
for ensuring quitline capacity –
federal fund (264-00-3097-3097).....No limit

Diagnostic x-ray program –
federal fund (264-00-3511-3160).....No limit

HRSA small hospital improvement grant program –
federal fund (264-00-3371-3371)No limit

State indoor radon grant –
federal fund (264-00-3884-3930).....No limit

HUD lead hazard control program of Kansas City –
federal fund (264-00-17-3328-3314).....No limit

Gifts, grants and donations fund –
health (264-00-7311-7090).....No limit

Special bequest fund –
health (264-00-7366-7050).....No limit

Civil registration and health statistics
fee fund (264-00-2291-2295).....No limit

Power generating facility fee
fund (264-00-2131-2130).....No limit

Nuclear safety emergency preparedness
special revenue
fund (264-00-2415-2280).....No limit

Provided, That all moneys received by the department of health and environment –
division of public health from the nuclear safety emergency management fee fund (034-
00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency
preparedness special revenue fund of the department of health and environment –
division of public health: *Provided further*, That expenditures from the nuclear safety
emergency preparedness special revenue fund for official hospitality shall not exceed
\$1,000.

Radiation control operations
fee fund (264-00-2531-2530).....No limit

Provided, That expenditures from the radiation control operations fee fund for
official hospitality shall not exceed \$2,000.

Lead-based paint hazard
fee fund (264-00-2289-2140).....No limit

Strengthening public health infrastructure –
federal fund (264-00-3547-3547).....No limit

Improving minority health –
federal fund (264-00-3548-3548).....No limit

Abstinence education –
federal fund (264-00-3549-3549).....No limit

Affordable care act –
federal fund (264-00-3546-3546).....No limit

Carbon monoxide detector/fire
injury prevention –
federal fund (264-00-17-3508-3508).....No limit

Health information exchange – federal fund (264-00-3493-3493).....No limit

Kansas newborn screening fund (264-00-2027-2027).....No limit

Actions to prevent and control diabetes, heart disease, and obesity – federal fund (264-00-3749-3742).....No limit

Healthy start initiative – federal fund (264-00-3751-3751).....No limit

Immunization capacity building assistance – federal fund (264-00-3744-3744).....No limit

Hospital preparedness and response program for Ebola – federal fund (264-00-3033-3033).....No limit

(c) On July 1, 2017, and on other occasions during fiscal year 2018 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for up to four full-time

equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2018 made by this or other appropriation act of the 2017 regular session of the legislature: *Provided, however*, That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(f) During the fiscal year ending June 30, 2018, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(g) During the fiscal year ending June 30, 2018, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2018 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-265-2320) of the department of health and environment – division of public health for fiscal year 2018 pursuant to K.S.A. 22a-242, and amendments thereto.

(i) On July 1, 2017, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health

care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(j) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2018, the following:

Healthy start (264-00-2000-2105).....\$204,848

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Infants and toddlers
program (264-00-2000-2107).....\$5,800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Smoking prevention (264-00-2000-2109).....\$847,041

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Newborn hearing aid loaner
program (264-00-2000-2113).....\$40,602

Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

SIDS network grant (264-00-2000-2115).....\$82,972

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(k) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2018 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to

this subsection shall comply with requirements imposed by federal law.
Sec. 92.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0202).....\$3,583,383

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Operating expenditures
(including official hospitality) –
health (264-00-1000-0270).....\$1,947,653

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Vaccine purchases (264-00-1000-0900).....\$329,607

Provided, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Aid to local units (264-00-1000-0350).....\$4,805,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary health
projects (264-00-1000-0460).....\$8,570,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2)

increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs at not-for-profit or publicly-funded primary care clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*; That, of the moneys appropriated in the aid to local units – primary care health projects account, \$8,190,272 shall be distributed for community-based primary care grants and \$230,418 shall be distributed for services provided by the Kansas association for the medically underserved.

Aid to local units – women's wellness (264-00-1000-0610).....\$94,296

Provided, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

Provided, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Breast cancer screening program (264-00-1000-1300).....\$219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Pregnancy maintenance initiative (264-00-1000-1100).....\$338,846

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Cerebral palsy posture

seating (264-00-1000-1500).....\$105,537

Provided, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

PKU treatment (264-00-1000-1710).....\$199,274

Provided, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Teen pregnancy prevention activities (264-00-1000-0650).....\$338,846

Provided, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in the following account is hereby reappropriated for fiscal year 2019: Ryan White matching funds (264-00-1000-1200).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Breast and cervical cancer program and detection – federal fund (264-00-3150-3350).....No limit

Health and environment training fee fund – health (264-00-2183-2160).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall

be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*; That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2019, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2019 for agency operations for the division of public health.

Health facilities review
fund (264-00-2505-2250).....No limit

Insurance statistical plan
fund (264-00-2243-2840).....No limit

Health and environment publication fee fund –
health (264-00-2541-2190).....No limit

Provided, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund (264-00-2653-2320).....No limit

Sponsored project overhead fund –
health (264-00-2912-2710).....No limit

Tuberculosis elimination and laboratory –
federal fund (264-00-17-3559-3559).....No limit

Maternity centers and
child care facilities licensing
fee fund (264-00-2731-2731).....No limit

Child care and development block grant –
federal fund (264-00-3028-3450).....No limit

Federal supplemental funding for
tobacco prevention and control –
federal fund (264-00-3574-3574).....No limit

Coordinated chronic disease prevention
and health promotion program –

federal fund (264-00-3575-3575).....No limit

Office of rural health –
federal fund (264-00-3031-3640).....No limit

Emergency medical services for children –
federal fund (264-00-3292-3292).....No limit

Primary care offices – federal
fund (264-00-3293-3293).....No limit

Injury intervention – federal
fund (264-00-3294-3294).....No limit

Oral health workforce activities –
federal fund (264-00-3297-3297).....No limit

Rural hospital flex program –
federal fund (264-00-3298-3298).....No limit

Hospital bioterrorism preparedness –
federal fund (264-00-3398-3398).....No limit

Kansas coalition against sexual
and domestic violence –
federal fund (264-00-17-3907-3907).....No limit

ARRA migrant health –
federal fund (264-00-3069-3070).....No limit

ARRA child care development –
federal fund (264-00-3028-3455).....No limit

ARRA Kansas health
information exchange project –
federal fund (264-00-17-3493-3493).....No limit

ARRA epidemiology and lab capacity –
federal fund (264-00-3150-3888).....No limit

ARRA women infants and children –
federal fund (264-00-3077-3105)No limit

ARRA primary care offices –
federal fund (264-00-3781-3781).....No limit

ARRA collaborative component I –
federal fund (264-00-3890-3891).....No limit

ARRA collaborative component III –
federal fund (264-00-17-3890-3892).....No limit

ARRA ambulatory surgical center ASC/HAI medicare –
federal fund (264-00-3486-3486).....No limit

ARRA prevention of healthcare associated infections –
federal fund (264-00-17-3486-3486).....No limit

Medicare – federal fund (264-00-3064-3062).....No limit

Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2019 pursuant to a contract which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.

Migrant health program –
federal fund (264-00-3069-3070).....No limit

Refugee health –
federal fund (264-00-3071-4650).....No limit

Strengthen public health
immunization infrastructure –
federal fund (264-00-3568-3568).....No limit

Healthy homes and lead
poisoning prevention –
federal fund (264-00-3572-3572).....No limit

Children's mercy hospital lead program –
federal fund (264-00-3152-3154).....No limit

Women, infants and children
health program –
federal fund (264-00-3077-3100).....No limit

WIC health program fund –
 senior farmer's market –
 federal (264-00-3077-3107).....No limit

Immunization and vaccines
 for children grants –
 federal fund (264-00-3747-3741).....No limit

Home visiting grant –
 federal fund (264-00-3503-3503).....No limit

Preventive health block grant –
 federal fund (264-00-3614-3200).....No limit

Maternal and child health block grant –
 federal fund (264-00-3616-3210).....No limit

National center for health statistics –
 federal fund (264-00-3617-3220).....No limit

Title X family planning services program –
 federal fund (264-00-3622-3270).....No limit

Comprehensive STD prevention systems –
 federal fund (264-00-17-3070-3080).....No limit

Children with special health care needs –
 federal fund (264-00-3763-3570).....No limit

Make a difference information network –
 federal fund (264-00-3234-3234).....No limit

Ryan White Title II –
 federal fund (264-00-3328-3310).....No limit

Bicycle helmet distribution –
 federal fund (264-00-3815-3815).....No limit

Bicycle helmet revolving
 fund (264-00-2575-2630).....No limit

SSA fee fund (264-00-2269-2030).....No limit

Lead certification cooperation agreement –
federal fund (264-00-17-3496-3496).....No limit

Childhood lead poisoning prevention program –
federal fund (264-00-3296-3296).....No limit

State implementation projects for
prevention of secondary conditions –
federal fund (264-00-3087-4405).....No limit

Title IV-E – federal fund (264-00-3326-3900).....No limit

HIV prevention projects –
federal fund (264-00-3740-3521).....No limit

HIV/AIDS surveillance –
federal fund (264-00-3399-3399).....No limit

Infants & toddlers Title I –
federal fund (264-00-2000-2107).....No limit

Universal newborn hearing screening –
federal fund (264-00-3459-3459).....No limit

State loan repayment program –
federal fund (264-00-3760-3755).....No limit

Opt-out testing initiative –
federal fund (264-00-3801-3801).....No limit

Kansas system for early registration of volunteers –
federal fund (264-00-17-3748-3749).....No limit

Cardiovascular health programs –
federal fund (264-00-3071-4760).....No limit

Adult lead surveillance data –
federal fund (264-00-3496-3496).....No limit

Medical reserve corps contract –
federal fund (264-00-17-3502-3502).....No limit

Trauma fund (264-00-2513-2230).....No limit

Provided, That expenditures may be made by the department of health and environment for fiscal year 2019 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: *Provided further*, That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.

Homeland security –
federal fund (264-00-3329-3320).....No limit

Homeland security real ID –
federal fund (264-00-3140-3140).....No limit

Special education state grants –
federal fund (264-00-17-3234-3236).....No limit

Refugee assistance –
federal fund (264-00-3378-3346).....No limit

Personal responsibility education program –
federal fund (264-00-3494-3494).....No limit

Mammography quality standards act –
federal fund (264-00-17-3511-3160).....No limit

Kansas vital records for quality improvement –
federal fund (264-00-3098-3098).....No limit

Kansas early detection works breast &
cervical cancer screening services –
federal fund (264-00-3099-3099).....No limit

Kansas public health approaches
for ensuring quitline capacity –
federal fund (264-00-3097-3097).....No limit

Diagnostic x-ray program –
federal fund (264-00-3511-3160).....No limit

HRSA small hospital improvement grant program –
federal fund (264-00-3371-3371)No limit

- State indoor radon grant – federal fund (264-00-3884-3930).....No limit

- HUD lead hazard control program of Kansas City –
federal fund (264-00-17-3328-3314).....No limit

- Gifts, grants and donations fund –
health (264-00-7311-7090).....No limit

- Special bequest fund –
health (264-00-7366-7050).....No limit

- Civil registration and health statistics
fee fund (264-00-2291-2295).....No limit

- Power generating facility fee
fund (264-00-2131-2130).....No limit

- Nuclear safety emergency
preparedness special revenue
fund (264-00-2415-2280).....No limit

- Provided*, That all moneys received by the department of health and environment –
division of public health from the nuclear safety emergency management fee fund (034-
00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency
preparedness special revenue fund of the department of health and environment –
division of public health: *Provided further*, That expenditures from the nuclear safety
emergency preparedness special revenue fund for official hospitality shall not exceed
\$1,000.

- Radiation control operations
fee fund (264-00-2531-2530).....No limit

- Provided*, That expenditures from the radiation control operations fee fund for
official hospitality shall not exceed \$2,000.

- Lead-based paint hazard fee
fund (264-00-2289-2140).....No limit

- Strengthening public health infrastructure –
federal fund (264-00-3547-3547).....No limit

- Improving minority health –
federal fund (264-00-3548-3548).....No limit

Abstinence education –
 federal fund (264-00-3549-3549).....No limit

Affordable care act –
 federal fund (264-00-3546-3546).....No limit

Carbon monoxide detector/fire
 injury prevention –
 federal fund (264-00-17-3508-3508).....No limit

Health information exchange –
 federal fund (264-00-3493-3493).....No limit

Kansas newborn screening
 fund (264-00-2027-2027).....No limit

Actions to prevent and control diabetes,
 heart disease, and obesity –
 federal fund (264-00-3749-3742).....No limit

Healthy start initiative federal
 fund (264-00-3751-3751).....No limit

Immunization capacity building assistance –
 federal fund (264-00-3744-3744).....No limit

Hospital preparedness and
 response program for Ebola –
 federal fund (264-00-3033-3033).....No limit

(c) On July 1, 2018, and on other occasions during fiscal year 2019 when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys, to the sponsored project overhead fund – health (264-00-2912-2710) of the department of

health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for up to four full-time equivalent positions in the unclassified service under the Kansas civil service act in the division of public health: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, all such additional full-time equivalent positions in the unclassified service under the Kansas civil service act shall be in addition to other positions within the department of health and environment in the unclassified service as prescribed by law and shall be established by the secretary of health and environment within the position limitation established for the department of health and environment on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2019 made by this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided, however*; That the authority to establish such additional positions in the unclassified service shall not affect the classified service status of any person who is an employee of the department of health and environment in the classified service under the Kansas civil service act.

(f) During the fiscal year ending June 30, 2019, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(g) During the fiscal year ending June 30, 2019, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2019 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(h) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment –

division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2019 pursuant to K.S.A. 22a-242, and amendments thereto.

(i) On July 1, 2018, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-8505-3200) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(j) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2019, the following:

Healthy start (264-00-2000-2105).....\$204,848

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Infants and toddlers
program (264-00-2000-2107).....\$5,800,000

Provided, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Smoking prevention (264-00-2000-2109).....\$847,041

Provided, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Newborn hearing aid loaner
program (264-00-2000-2113).....\$40,602

Provided, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

SIDS network grant (264-00-2000-2115).....\$82,972

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(k) In addition to the other purposes for which expenditures may be made by the

department of health and environment – division of public health during fiscal year 2019 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

Sec. 93.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Other medical assistance (264-00-1000-3026).....\$1,714,838

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 17(b) of chapter 111 of the 2016 Session Laws of Kansas on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from \$127,692,349 to \$150,009,961.

(c) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 as authorized by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 or 111 of the 2016 Session Laws of Kansas, 2017 Senate Substitute for Substitute for House Bill No. 2052, this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from such moneys appropriated for fiscal year 2017 to submit a written report to the senate standing committee on ways and means on or before sine die adjournment of the 2017 regular legislative session that details full disclosure and reconciliation of the health care access improvement fund (264-00-2443-2215) and use of funds from the hospital provider assessment imposed pursuant to K.S.A. 2016 Supp. 65-6208, and amendments thereto, for state fiscal years 2012 through 2017, including revenue, expenditures, running balance of the health care access improvement fund, any deficits and write-offs and any specific actions taken to reconcile the health care access improvement fund during calendar year 2011.

Sec. 94.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2018, the following:

Health policy operating expenditures (264-00-1000-0010).....\$10,295,151

Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical assistance (264-00-1000-3026).....\$539,548,571

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*; That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2018.

Any unencumbered balance in excess of \$100 as of June 30, 2017, in each of the following accounts is hereby reappropriated for fiscal year 2018: Children's health insurance program (264-00-1000-0060), office of the inspector general (264-00-1000-0050).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program fund (264-00-2556-2550).....\$1,640,046

Cafeteria benefits fund (264-00-7720-9002).....No limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year ending June 30, 2018, for salaries and wages and other operating expenditures shall not exceed \$3,844,401.

State workers compensation self-insurance fund (264-00-6170-6170).....No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2018, for salaries and wages and other operating expenditures shall not exceed \$4,543,253.

Dependent care assistance program
fund (264-00-7740-8700).....No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2018, for salaries and wages and other operating expenditures shall not exceed \$3,981,219.

Non-state employer group benefit
fund (264-00-7707-7710).....\$142,045

Division of health care
finance special revenue
fund (264-00-2360-2350).....No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2018, for official hospitality shall not exceed \$1,000.

Health committee insurance
fund (264-00-2569-2500).....No limit

Health care database fee
fund (264-00-2578-2570).....No limit

Association assistance plan
fund (264-00-2391-2391).....No limit

Medical programs fee
fund (264-00-2395-0110).....\$95,498,999

Medical assistance fee
fund (264-00-2185-2185).....No limit

Health benefits administration
clearing fund – remit admin
service org (264-00-7746-7746).....No limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2018, for salaries and wages

and other operating expenditures shall not exceed \$9,050,000.

Health insurance premium reserve
fund (264-00-7350-7350).....No limit

Other state fees fund (264-00-2440-0100).....No limit

Health care access improvement
fund (264-00-2443-2215).....No limit

Quality care service fund (264-00-2999-0000).....No limit

Children's health insurance program
federal fund (264-00-3424-0540).....No limit

State planning – health care –
uninsured fund (264-00-3483-3483).....No limit

Medicaid infrastructure grant –
disability employment
federal fund (264-00-3547-2017).....No limit

HIV care formula grant federal
fund (264-00-3328-3311).....No limit

Medical assistance program federal
fund (264-00-3414-0440).....No limit

Quality care fund (264-00-2999).....No limit

Quality based community
assessment fund (264-00-2760-2760).....No limit

Refugee and entrant assistance – state administered programs
fund (264-00-3345-2017).....No limit

KEES interagency transfer
fund (264-00-17-6001-6001).....No limit

Energy assistance block
grant (264-00-3305-3305).....No limit

Supplemental nutrition assistance program –
admin (264-00-3104-2017).....No limit

Temporary assistance for needy
families (264-00-3323-3530).....No limit

Title IV-E – adoption
assistance (264-00-3357-3357).....No limit

(c) During the fiscal year ending June 30, 2018, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2018, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2018, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) During fiscal year 2018, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated for fiscal year 2018 from the state general fund or from any special revenue fund or funds by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated for fiscal year 2018 to set reimbursement rates for any children's hospital contracting with a managed care organization providing state medicaid services that restore any reductions initiated during calendar year 2015 to provider reimbursement rates for state medicaid services provided by contracting children's hospitals: *Provided*, That the above agency shall procure an independent study of reimbursement rates paid to such contracting children's hospitals to compare the cost recovery ratio of such rates to the statewide average cost recovery ratio for all Kansas hospitals contracting to provide state medicaid services: *Provided further*, That, as used in this proviso, "cost recovery ratio" means the actual hospital reimbursement amount divided by the specific hospital's costs incurred for providing medicaid services, as reported in the most recent available medicare cost report submitted to the federal centers for medicare and medicaid services.

Sec. 95.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Health policy operating
expenditures (264-00-1000-0010).....\$10,260,032

Provided, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Other medical
assistance (264-00-1000-3026).....\$615,652,284

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further*, That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2019.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in each of the following accounts is hereby reappropriated for fiscal year 2019: Children's health insurance program (264-00-1000-0060), office of the inspector general (264-00-1000-0050).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care program
fund (264-00-2556-2550).....\$1,649,246

Cafeteria benefits fund (264-00-7720-9002).....No limit

Provided, That expenditures from the cafeteria benefits fund for the fiscal year

ending June 30, 2019, for salaries and wages and other operating expenditures shall not exceed \$3,843,557.

State workers compensation self-insurance
fund (264-00-6170-6170).....No limit

Provided, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2019, for salaries and wages and other operating expenditures shall not exceed \$4,662,796.

Dependent care assistance program
fund (264-00-7740-8700).....No limit

Provided, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2019, for salaries and wages and other operating expenditures shall not exceed \$3,987,115.

Non-state employer group benefit
fund (264-00-7707-7710).....\$141,956

Division of health care
finance special revenue
fund (264-00-2360-2350).....No limit

Provided, That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2019, for official hospitality shall not exceed \$1,000.

Health committee insurance
fund (264-00-2569-2500).....No limit

Health care database fee
fund (264-00-2578-2570).....No limit

Association assistance plan
fund (264-00-2391-2391).....No limit

Medical programs fee
fund (264-00-2395-0110).....\$65,795,195

Medical assistance fee
fund (264-00-2185-2185).....No limit

Health benefits administration
 clearing fund – remit admin
 service org (264-00-7746-7746).....No limit

Provided, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2019, for salaries and wages and other operating expenditures shall not exceed \$9,050,000.

Health insurance premium
 reserve fund (264-00-7350-7350).....No limit

Other state fees
 fund (264-00-2440-0100).....No limit

Health care access improvement
 fund (264-00-2443-2215).....No limit

Quality care service fund (264-00-2999-0000).....No limit

Children's health insurance program
 federal fund (264-00-3424-0540).....No limit

State planning – health care –
 uninsured fund (264-00-3483-3483).....No limit

Medicaid infrastructure grant –
 disability employment federal
 fund (264-00-3547-2017).....No limit

HIV care formula grant federal
 fund (264-00-3328-3311).....No limit

Medical assistance program federal
 fund (264-00-3414-0440).....No limit

Quality care fund (264-00-2999).....No limit

Quality based community assessment
 fund (264-00-2760-2760).....No limit

Refugee and entrant assistance –
 state administered programs
 fund (264-00-3345-2017).....No limit

KEES interagency transfer fund (264-00-17-6001-6001).....No limit

Energy assistance block grant (264-00-3305-3305)No limit

Supplemental nutrition assistance program – admin (264-00-3104-2017).....No limit

Temporary assistance for needy families (264-00-3323-3530).....No limit

Title IV-E – adoption assistance (264-00-3357-3357).....No limit

(c) During the fiscal year ending June 30, 2019, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2019, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2019, no expenditures shall be made by the secretary of health and environment from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for the purpose of implementing a program under KanCare health homes for persons with chronic conditions, unless the legislature expressly consents to implementation of such program and expenditures therefor.

(e) During fiscal year 2019, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated for fiscal year 2019 from the state general fund or from any special revenue fund or funds by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated for fiscal year 2019 to set reimbursement rates for any children's hospital contracting with a managed care organization providing state medicaid services that restore any reductions initiated during calendar year 2015 to provider reimbursement rates for state medicaid services provided by contracting children's hospitals.

Sec. 96.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$3,961,957

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation
fee fund (264-00-2233-2220).....No limit

Publication fee fund –
environment (264-00-2544-2195).....No limit

Solid waste management
fund (264-00-2271-2075).....No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2018, for official hospitality: *Provided further*; That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee
fund (264-00-2284-2085).....No limit

Voluntary cleanup
fund (264-00-2288-2120).....No limit

Storage tank fee
fund (264-00-2293-2090).....No limit

Air quality fee fund (264-00-2020-2830).....No limit

Hazardous waste collection
fund (264-00-2099-2010).....No limit

Health and environment training fee fund – environment (264-00-2175-2170).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2018, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2018 for agency operations for the division of environment.

Driving under the influence fund (264-00-2101-2020).....No limit

Waste tire management fund (264-00-2635-2820).....No limit

Health and environment publication fee fund – environment (264-00-2544-2195).....No limit

Provided, That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control authority regulation services fund (264-00-2657-2330).....No limit

Surface mining fee fund (264-00-2233-2220).....No limit

Kansas newborn screening fee
fund (264-00-2000-2119).....No limit

Environmental response
fund (264-00-2662-2400).....No limit

Sponsored project overhead fund –
environment (264-00-2911-2720).....No limit

Chemical control fee
fund (264-00-2212-2360).....No limit

QuantiFERON TB laboratory
fund (264-00-2458-2460).....No limit

Resource conservation and recovery act –
federal fund (264-00-3586-3190).....No limit

Superfund state cooperative agreements –
federal fund (264-00-1800-1815).....No limit

Water supply –
federal fund (264-00-3295-3130).....No limit

Air quality section 103 –
federal fund (264-00-3248-3246).....No limit

EPA – core support –
federal fund (264-00-3040-3000).....No limit

Network exchange grant –
federal fund (264-00-3267-3267).....No limit

ARRA Kansas clean diesel assistance program grant –
federal fund (264-00-3072-3095).....No limit

Performance partnership grants – federal
fund (264-00-3295-3295).....No limit

Kansas clean diesel grant –
federal fund (264-00-3249-3250).....No limit

Air quality program –
federal fund (264-00-3072-3090).....No limit

Section 106 monitoring initiative – federal
fund (264-00-3619-3240).....No limit

Air quality section 105 –
federal fund (264-00-3249-3249).....No limit

Contaminated property
redevelopment act –
federal fund.....No limit

Leaking underground
storage tank trust –
federal fund (264-00-3812-3700).....No limit

Surface mining control and reclamation act –
federal fund (264-00-3820-3760).....No limit

Abandoned mined-land –
federal fund (264-00-3821-3770).....No limit

Department of defense and
state cooperative agreement –
federal fund (264-00-3067-3031).....No limit

EPA non-point source –
federal fund (264-00-3889-3940).....No limit

Pollution prevention program –
federal fund (264-00-3908-3990).....No limit

EPA operator expense
reimbursement for drinking water –
federal fund (264-00-3086-4200).....No limit

EPA water monitoring –
federal fund (264-00-3086-4200).....No limit

Gifts, grants and donations fund –
environment (264-00-7314-7095).....No limit

Special bequest fund – environment (264-00-7367-7040).....No limit

Aboveground petroleum storage tank release trust fund (264-00-7398-7070).....No limit

Underground petroleum storage tank release trust fund (264-00-7399-7060).....No limit

Drycleaning facility release trust fund (264-00-7407-7250).....No limit

Public water supply loan fund (264-00-7539-7800).....No limit

Public water supply loan operations fund (264-00-3295-3295).....No limit

Kansas water pollution control revolving fund (264-00-7530-7400).....No limit

Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*; That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations fund (264-00-7960-8300).....No limit

Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....No limit

Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....No limit

Surcharge operations fund for Kansas water pollution control revolving fund

revenue bonds (264-00-7531-7620).....	No limit
Debt service reserve fund (264-00-7538-7726).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380).....	No limit
Natural resources damages trust fund (264-00-7265-7265).....	No limit
Hazardous waste management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program – federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560).....	No limit
Operator outreach training program – federal fund (264-00-3259-3259).....	No limit
Underground storage tank – federal fund (264-00-3732-3510).....	No limit
EPA underground injection control – federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund – environment (264-00-2092-2060).....	No limit
EPA state response program – federal fund (264-00-3370-3915).....	No limit
Environmental use control fund (264-00-2292-2310).....	No limit
Environmental response remedial activity specific sites – federal fund (264-00-3040-3003).....	No limit

Emergency environmental response –
nonspecific sites
federal fund (264-00-3067-3030).....No limit

Medicare program – environment –
federal fund (264-00-3096-3050).....No limit

EPA pollution prevention –
federal fund (264-00-3619-3240).....No limit

Inspections Kansas infrastructure projects –
federal fund (264-00-3910-3950).....No limit

Salt solution mining well plugging
fund (264-00-2247-2390).....No limit

UST redevelopment
fund (264-00-7397-7080).....No limit

Office of laboratory services
operating fund (264-00-2161-2161).....No limit

Risk management fund (264-00-7402-7402).....No limit

Intoxilyzer replacement –
federal fund (264-00-3092-3092).....No limit

Environmental stewardship – federal
fund (264-00-17-7396-7096).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2018, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802).....\$602,824

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

TMDL initiatives and use attainability
analysis (264-00-1800-1805).....\$216,114

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2017, is hereby

reappropriated for fiscal year 2018.

Watershed restoration and protection plan (264-00-1800-1808).....	\$555,000
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Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Nonpoint source program (264-00-1800-1804).....	\$238,540
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Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(d) During the fiscal year ending June 30, 2018, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2018 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2017, and on other occasions during fiscal year 2018 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project

overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2018, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2018 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2018, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 97.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$4,000,876

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and
reclamation fee fund (264-00-2233-2220).....No limit

Publication fee fund –
environment (264-00-2544-2195).....No limit

Solid waste management
fund (264-00-2271-2075).....No limit

Provided, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2019, for official hospitality: *Provided further*; That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee
fund (264-00-2284-2085).....No limit

Voluntary cleanup
fund (264-00-2288-2120).....No limit

Storage tank fee
fund (264-00-2293-2090).....No limit

Air quality fee
fund (264-00-2020-2830).....No limit

Hazardous waste collection
fund (264-00-2099-2010).....No limit

Health and environment
training fee fund –
environment (264-00-2175-2170).....No limit

Provided, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*; That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*; That such fees may be fixed in order to recover all or part of such costs: *And provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*; That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2019, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2019 for agency operations for the division of environment.

Driving under the influence
fund (264-00-2101-2020).....No limit

Waste tire management
fund (264-00-2635-2820).....No limit

Health and environment
publication fee fund –
environment (264-00-2544-2195).....No limit

Provided, That expenditures from the health and environment publication fee fund –
environment shall be made only for the purpose of paying the expenses of publishing
documents as required by K.S.A. 75-5662, and amendments thereto.

Local air quality control
authority regulation services
fund (264-00-2657-2330).....No limit

Surface mining fee
fund (264-00-2233-2220).....No limit

Kansas newborn screening fee
fund (264-00-2000-2119).....No limit

Environmental response
fund (264-00-2662-2400).....No limit

Sponsored project overhead fund –
environment (264-00-2911-2720).....No limit

Chemical control fee
fund (264-00-2212-2360).....No limit

QuantiFERON TB laboratory
fund (264-00-2458-2460).....No limit

Resource conservation and recovery act –
federal fund (264-00-3586-3190).....No limit

Superfund state cooperative agreements –
federal fund (264-00-1800-1815).....No limit

Water supply – federal

fund (264-00-3295-3130).....No limit

Air quality section 103 – federal
fund (264-00-3248-3246).....No limit

EPA – core support – federal
fund (264-00-3040-3000).....No limit

Network exchange grant – federal
fund (264-00-3267-3267).....No limit

ARRA Kansas clean diesel
assistance program grant –
federal fund (264-00-3072-3095).....No limit

Performance partnership grants –
federal fund (264-00-3295-3295).....No limit

Kansas clean diesel grant –
federal fund (264-00-3249-3250).....No limit

Air quality program –
federal fund (264-00-3072-3090).....No limit

Section 106 monitoring initiative – federal
fund (264-00-3619-3240).....No limit

Air quality section 105 –
federal fund (264-00-3249-3249).....No limit

Contaminated property redevelopment act –
federal fund.....No limit

Leaking underground
storage tank trust –
federal fund (264-00-3812-3700).....No limit

Surface mining control
and reclamation act –
federal fund (264-00-3820-3760).....No limit

Abandoned mined-land –
federal fund (264-00-3821-3770).....No limit

Department of defense and state cooperative agreement – federal fund (264-00-3067-3031).....No limit

EPA non-point source – federal fund (264-00-3889-3940).....No limit

Pollution prevention program – federal fund (264-00-3908-3990).....No limit

EPA operator expense reimbursement for drinking water – federal fund (264-00-3086-4200).....No limit

EPA water monitoring – federal fund (264-00-3086-4200).....No limit

Gifts, grants and donations fund – environment (264-00-7314-7095).....No limit

Special bequest fund – environment (264-00-7367-7040).....No limit

Aboveground petroleum storage tank release trust fund (264-00-7398-7070).....No limit

Underground petroleum storage tank release trust fund (264-00-7399-7060).....No limit

Drycleaning facility release trust fund (264-00-7407-7250).....No limit

Public water supply loan fund (264-00-7539-7800).....No limit

Public water supply loan operations fund (264-00-3295-3295).....No limit

Kansas water pollution control revolving fund (264-00-7530-7400).....No limit

Provided, That the proceeds from revenue bonds issued by the Kansas development

finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: *Provided further*, That expenditures from this fund shall be made to provide for the payment of such matching grants.

Kansas water pollution control operations
fund (264-00-7960-8300).....No limit

Cost of issuance fund for Kansas water
pollution control revolving fund
revenue bonds (264-00-7531-7600).....No limit

Surcharge fund for Kansas water
pollution control revolving fund
revenue bonds (264-00-7539-7805).....No limit

Surcharge operations fund for Kansas water
pollution control revolving fund
revenue bonds (264-00-7531-7620).....No limit

Debt service reserve
fund (264-00-7538-7726).....No limit

Subsurface hydrocarbon storage
fund (264-00-2228-2380).....No limit

Natural resources damages trust
fund (264-00-7265-7265).....No limit

Hazardous waste management
fund (264-00-2519-2290).....No limit

Brownfields revolving loan program –
federal fund (264-00-3278-3278).....No limit

Mined-land reclamation
fund (264-00-2685-2560).....No limit

Operator outreach training program –
federal fund (264-00-3259-3259).....No limit

Underground storage tank –
federal fund (264-00-3732-3510).....No limit

EPA underground injection control –
federal fund (264-00-3295-3288).....No limit

Laboratory medicaid cost recovery fund –
environment (264-00-2092-2060).....No limit

EPA state response program –
federal fund (264-00-3370-3915).....No limit

Environmental use control
fund (264-00-2292-2310).....No limit

Environmental response remedial
activity specific sites –
federal fund (264-00-3040-3003).....No limit

Emergency environmental response –
nonspecific sites
federal fund (264-00-3067-3030).....No limit

Medicare program – environment –
federal fund (264-00-3096-3050).....No limit

EPA pollution prevention –
federal fund (264-00-3619-3240).....No limit

Inspections Kansas infrastructure projects –
federal fund (264-00-3910-3950).....No limit

Salt solution mining well plugging
fund (264-00-2247-2390).....No limit

UST redevelopment fund (264-00-7397-7080).....No limit

Office of laboratory services operating
fund (264-00-2161-2161).....No limit

Risk management fund (264-00-7402-7402).....No limit

Intoxilyzer replacement –
federal fund (264-00-3092-3092).....No limit

Environmental stewardship – federal fund (264-00-17-7396-7096).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2019, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802).....\$688,301

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

TMDL initiatives and use attainability analysis (264-00-1800-1805).....\$276,307

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Watershed restoration and protection plan (264-00-1800-1808).....\$555,884

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Nonpoint source program (264-00-1800-1804).....\$298,980

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(d) During the fiscal year ending June 30, 2019, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2019 from the state water plan fund for the department of health and environment – division of environment: *Provided,* That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2019, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not make the transfers of amounts of interest earnings from the state general fund to the air

quality fee fund (264-00-2020-2830) of the department of health and environment which are directed to be made on or before the 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2018, and on other occasions during fiscal year 2019 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment, which have available moneys, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2019, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2019 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2019, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

Sec. 98.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

LTC – medicaid assistance – NF (390-00-1000-0520).....\$11,735,500

(b) On the effective date of this act, the expenditure limitation established for the

fiscal year ending June 30, 2017, by section 22(g) of 2017 Senate Substitute for Substitute for House Bill No. 2052 on the Osawatomie state hospital fee fund (494-00-2079-4200) is hereby decreased from \$6,489,674 to \$4,389,674.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2017, by section 22(h) of 2017 Senate Substitute for Substitute for House Bill No. 2052 on the title XIX fund (039-00-2595-4130) is hereby increased from \$35,295,992 to \$40,195,992.

Sec. 99.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Administration official
hospitality (039-00-1000-0204).....\$1,748

Provided, That any unencumbered balance in the administration account in excess of \$100 as of June 30, 2017, is hereby reappropriated to the administration official hospitality account for fiscal year 2018.

Administration –
assessments (039-00-1000-0210).....\$451,858

Provided, That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Senior care act (039-00-1000-0260).....\$2,515,000

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2017 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2017: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2018 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2017: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –
 state match (039-00-1000-0280).....\$3,845,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2017 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2017: *And provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2018 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2017: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance –
 NF (039-00-1000-0520).....\$616,064,457

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from the LTC – medicaid assistance – NF account of the state general fund for fiscal year 2018, expenditures shall be made by the above agency from the LTC – medicaid assistance – NF account of the state general fund for fiscal year 2018 for the purpose of providing a 3% rate increase for providers of home and community based services under each of the waivers provided by section 1915(c) of the federal social security act.

LTC – medicaid assistance –
 PACE (039-00-1000-0530).....\$7,129,380

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities regulation (039-00-1000-0710).....\$1,058,396

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Nursing facilities regulation – title XIX (039-00-1000-0712).....\$1,350,841

Provided, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Health occupational credentialing (039-00-1000-0800).....\$673,270

State operations (039-00-1000-0801).....\$17,525,723

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants (039-00-1000-1010).....\$2,174,369

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Mental health and intellectual disabilities aid and assistance (039-00-1000-4001).....\$29,935,866

Provided, That any unencumbered balance in the mental health and intellectual disabilities aid and assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Community mental health centers supplemental funding (039-00-1000-3001).....\$33,180,993

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2017, is hereby

reappropriated for fiscal year 2018: *Provided further*; That, if 2017 House Bill No. 2180, or any other legislation that directs the director of accounts and reports to transfer moneys from the medical assistance fee fund to the community mental health center improvement fund during fiscal year 2018, is passed by the legislature during the 2017 regular session and enacted into law, then on July 1, 2017, or as soon thereafter as such transfer is made, as certified by the director of the budget, of the amount appropriated for fiscal year 2018 by this section from the state general fund in the community mental health centers supplemental funding account, the sum of \$3,500,000 is hereby lapsed: *And provided further*; That, if the amount of moneys transferred from the medical assistance fee fund to the community mental health centers supplemental funding account during fiscal year 2018 pursuant to such legislation is less than \$3,500,000, then the amount of moneys lapsed under this proviso shall be equal to the amount of moneys transferred: *And provided further*; That, if 2017 House Bill No. 2313, or any other legislation that directs the director of accounts and reports to transfer moneys from the lottery operating fund to the community crisis stabilization centers fund during fiscal year 2018, is passed by the legislature during the 2017 regular session and enacted into law, then on July 1, 2017, or as soon thereafter as such transfer is made, as certified by the director of the budget, of the amount appropriated for fiscal year 2018 by this section from the state general fund in the community mental health centers supplemental funding account, the sum of \$3,000,000 is hereby lapsed: *And provided further*; That when the director of the budget makes any certification under this proviso, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Community aid (039-00-1000-3004).....\$17,257,484

Provided, That any unencumbered balance in the community aid program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas neurological institute – operating
 expenditures (363-00-1000-0303).....\$9,459,803

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating
 expenditures (410-00-1000-0103).....\$36,137,277

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital –
sexual predator treatment
program (410-00-1000-0200).....\$17,181,173

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Osawatomie state hospital – operating
expenditures (494-00-1000-0100).....\$12,501,696

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Osawatomie state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That, of the moneys appropriated in the Osawatomie state hospital – operating expenditures account, \$4,700,000 shall be expended for the purpose of opening and operating 20 additional beds at the Osawatomie state hospital: *And provided further*; That if the secretary is unable to open and operate such additional beds, the secretary shall expend such funds to enter into an agreement for such additional bed space at a third-party facility.

Osawatomie state hospital – certified care
expenditures (494-00-1000-0101).....\$7,995,908

Parsons state hospital and
training center – operating
expenditures (507-00-1000-0100).....\$9,744,986

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That

expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and training center –
sexual predator treatment
program (507-00-1000-0200).....\$1,946,544

Larned state hospital –
SPTP new crimes
reimbursement (410-00-1000-0110).....\$250,000

Provided, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Larned state hospital –
SPTP reintegration
program (410-00-1000-0400).....\$1,886,721

Provided, That any unencumbered balance in the Larned state hospital – SPTP reintegration account in excess of \$100 as of June 30, 2017, is hereby reappropriated to the Larned state hospital – SPTP reintegration program account for fiscal year 2018.

Any unencumbered balance in excess of \$100 as of June 30, 2017, in each of the following accounts is hereby reappropriated for fiscal year 2018: Administration – medicaid (039-00-1000-0240), community based services (039-00-1000-3003).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....No limit

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund: *Provided further*; That moneys in the

title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX
reimbursements fund (363-00-2060-2200).....No limit

Larned state hospital title XIX
reimbursements fund (410-00-2074-2200).....No limit

Osawatomie state hospital title XIX
reimbursements fund (494-00-2080-4300).....No limit

Osawatomie state hospital certified care title XIX
reimbursements fund (494-00-2080-4301).....No limit

Parsons state hospital title XIX
reimbursements fund (507-00-2083-2300).....No limit

Kansas neurological institute fee
fund (363-00-2059-2000).....\$1,744,846

Kansas neurological institute –
foster grandparents program –
federal fund (363-00-3115-3200).....No limit

Kansas neurological institute –
FGP gifts, grants, donations
fund (363-00-7125-7400).....No limit

Kansas neurological institute –
patient benefit
fund (363-00-7910-7100).....No limit

Kansas neurological institute –
work therapy patient benefit
fund (363-00-7940-7200).....No limit

Larned state hospital fee
fund (410-00-2073-2100).....\$3,444,194

Larned state hospital –

work therapy patient benefit
fund (410-00-7938-7200).....No limit

Larned state hospital – canteen
fund (410-00-7806-7000).....No limit

Larned state hospital –
patient benefit
fund (410-00-7912-7100).....No limit

Osawatomie state hospital – canteen
fund (494-00-7807-5600).....No limit

Osawatomie state hospital –
patient benefit
fund (494-00-7914-5700).....No limit

Osawatomie state hospital –
work therapy patient benefit
fund (494-00-7939-5800).....No limit

Osawatomie state hospital –
motor pool revolving
fund (494-00-6164-5200).....No limit

Osawatomie state hospital – cottage
revenue and expenditures
fund (494-00-2159-2159).....No limit

Osawatomie state hospital –
training fee revolving
fund (494-00-2602-2000).....No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*; That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee
fund (494-00-2079-4200).....\$1,589,186

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomi state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomi state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.

Osawatomi state hospital certified care
fund (494-00-2079-4201).....\$2,398,316

Parsons state hospital and
training center – canteen
fund (507-00-7808-5500).....No limit

Parsons state hospital and
training center – patient
benefit fund (507-00-7916-5600).....No limit

Parsons state hospital and training center –
work therapy patient benefit
fund (507-00-7941-5700).....No limit

Parsons state hospital
and training center fee
fund (507-00-2082-2200).....\$1,372,386

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Special program for aging IIIB –
federal fund (039-00-3287-3281).....No limit

Special program for aging IIIC – federal fund (039-00-3425-3423).....No limit

Special program for aging IIID – federal fund (039-00-3286-3285).....No limit

National family caregiver support program III E – federal fund (039-00-3289-3201).....No limit

Special program for aging IV & II – federal fund (039-00-3288-3297).....No limit

Special program for aging VII-2 – federal fund (039-00-3358-3072).....No limit

Special program for aging VII-3 – federal fund (039-00-3402-3000).....No limit

Survey & certification – federal fund (039-00-3064-3064).....No limit

Provided, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2018 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals..

Center for medicare/medicaid service – federal fund (039-00-3408-3300).....No limit

Money follows the person grant – federal fund (039-00-3054-4000).....No limit

Medicaid assistance program – federal fund (039-00-1000-0500).....No limit

Social service block grant fund (039-00-3307-3371).....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2017 by the area

agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2017: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2018 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2017: *And provided further*, That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund – federal (039-00-3552-3552).....No limit

National bioterrorism hospital preparedness program – federal fund (039-00-3398-4386).....No limit

Senior citizen nutrition check-off fund (039-00-2660-2610).....No limit

Quality care services fund (039-00-2999-2902).....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2016 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2016 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*, That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2016 Supp. 75-7435, and amendments thereto.

State licensure fee fund (039-00-2373-2370).....No limit

General fees fund (039-00-2524-2500).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund (039-00-7309-7000).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection fund (039-00-2363-2100).....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*; That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*; That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*; That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants – federal (039-00-3913-3800).....No limit

Long-term care loan and grant fund (039-00-5110-5100).....No limit

Health facilities review fund (039-00-2308-2400).....No limit

Medicare enrollment assistance program fund – federal (039-00-3468-3450).....No limit

Medical assistance program – federal fund (039-00-3414-0442).....No limit

DADS social welfare fund (039-00-2141-2195).....No limit

Other state fees fund – community alcohol treatment (039-00-2661-0000).....No limit

Substance abuse/mental health services – partnership for success – federal fund (039-00-3284-1327).....No limit

Substance abuse/mental health supported employment – federal fund (039-00-3284-1329).....No limit

Community mental health block grant federal fund (039-00-3310-0460).....No limit

Prevention/treatment substance abuse federal fund (039-00-3301-0310).....No limit

Problem gambling and addictions grant fund (039-00-2371-2371).....No limit

Alternatives to psych. resid. treatment facilities for children federal fund (039-00-3384-4495).....No limit

Substance abuse performance outcome grant federal fund (039-00-3881-3881).....No limit

ADAS data collection grant federal fund (039-00-3887-3887).....No limit

Money follows the person rebalancing demonstration federal fund (039-00-3054-4041).....No limit

Temporary assistance for needy families – fed funds (039-00-3323-3323).....No limit

Coop agreement to benefit homeless –
federal fund (039-00-3284-1321).....No limit

Assistance in transition from homelessness
federal fund (039-00-3284-1321).....No limit

Developmental disabilities basic support
federal fund (039-00-3380-3380).....No limit

Olmstead fellowship
program (039-00-3885-3885).....No limit

Medicare fund –
SHICK (039-00-3408-3400).....No limit

Medicare fund –
oasis (039-00-3408-3350).....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway
fund (039-00-2160-2160).....\$9,750,000

Provided, That on July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

Indirect cost fund (039-00-2193-2193).....No limit

Kansas national background check program –
federal fund (039-00-3032-3132).....No limit

Systems of care grant –
federal fund (039-00-3595-3595).....No limit

Community mental health center improvement fund.....No limit

Community crisis stabilization centers fund.....No limit

Clubhouse model program fund.....No limit

(c) On July 1, 2017, and on other occasions during fiscal year 2018 when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs, from specified special revenue funds of the Kansas department for aging and disability services, to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2017, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2017, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2017, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen (410-00-7806-7000) fund to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2018, no moneys paid by the Kansas department for aging and disability services from the mental health and intellectual disabilities aid and assistance account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2018, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2018 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2018, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the state institutions building

fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2018 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2018 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2018 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2018 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2018: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2018 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2018 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On October 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the governor's department.

(l) On October 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's

department.

(m) During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2018 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2018 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund (039-00-2141-2195).

(n) On June 30, 2018, notwithstanding the provisions of K.S.A. 2016 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.

(o) On July 1, 2017, the mental health and retardation services aid and assistance account of the state general fund of the Kansas department for aging and disability services is hereby redesignated as the mental health and intellectual disabilities aid and assistance account of the state general fund of the Kansas department for aging and disability services.

(p) On July 1, 2017, the health policy nursing facility quality care fund of the Kansas department for aging and disability services is hereby redesignated as the quality care services fund of the Kansas department for aging and disability services.

(q) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 to provide Medicaid reimbursement for clubhouse rehabilitation services and to enter into contracts with certified clubhouse providers for such services: *Provided*, That, as used in this subsection, "clubhouse rehabilitation services" means a community-based psychosocial rehabilitation program in which the member, with staff assistance, is engaged in operating all aspects of the clubhouse, including food, clerical, reception, janitorial and other member services such as employment training, housing assistance and educational support, and that is designed to alleviate emotional or behavior problems with the goal of transitioning to a

less restrictive level of care, reintegrating the member into the community and increasing social connectedness beyond a clinical or employment setting.

(r) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from such moneys to establish a mental health task force: *Provided*, That such task force shall consist of 11 members appointed as follows: (1) One individual appointed by the president of the senate; (2) one individual appointed by the minority leader of the senate; (3) one individual appointed by the speaker of the house of representatives; (4) one individual appointed by the minority leader of the house of representatives; (5) one public mental health system provider; (6) one private mental health system provider; (7) one consumer of mental health services; (8) one family member of a consumer of mental health services; (9) one representative of the Kansas department for aging and disability services; and (10) two representatives of advocacy organizations for persons with mental illness; each of the members listed in paragraphs (5) through (10) appointed by the legislative coordinating council: *Provided, however*, That no member of such task force shall be a legislator: *Provided further*, That such task force shall study the following topics: The Kansas mental health delivery system; the most effective ways to deliver mental health services, including the varied services required for individuals of varying ages; the certification process of Osawatimie state hospital; a comprehensive strategy for delivery of mental health services; the maximization of federal and other funding sources for mental health services; the statewide absence of crisis stabilization centers to provide short-term mental health crisis care of 48 hours or less; options for privatization of mental health services; and other matters relating to mental health services as such task force deems appropriate: *And provided further*, That such task force shall submit a report on the task force's findings to the senate standing committees on ways and means and public health and welfare and the house of representatives standing committees on appropriations and health and human services on or before January 8, 2018.

(s) During the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 by the above agency by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018 to prepare and submit reports concerning medicaid home and community based services waivers on or before July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, to the director of legislative research and the director of the budget: *Provided*, That the above agency shall submit a separate report for each home and community based services waiver: *Provided further*, That such reports shall include the actual and projected expenditures for such waiver, actual and projected numbers of individuals provided services under such waiver and average cost per individual served: *And provided further*, That such reports shall include summarized encounter data by waiver population or comparable data to allow for review of such data at the program level.

(t) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2017 or fiscal year 2018 as authorized by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 or 111 of the 2016 Session Laws of Kansas, 2017 Senate Substitute for Substitute for House Bill No. 2052, this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency to conduct an engineering survey on all buildings on the grounds of the Osawatomie state hospital: *Provided*, That such report shall determine whether such buildings can be renovated and shall include the estimated cost of renovation and, if the building cannot be renovated, the estimated cost of demolition: *Provided further*, That such report will be presented to the joint committee on state building construction, the senate ways and means committee and the house of representatives appropriations committee on or before January 8, 2018.

(u) In addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from the state general fund or from any special revenue fund or funds for fiscal year 2017 or fiscal year 2018 as authorized by chapter 104 of the 2015 Session Laws of Kansas, chapter 12 or 111 of the 2016 Session Laws of Kansas, 2017 Senate Substitute for Substitute for House Bill No. 2052, this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the above agency to issue a request for proposals for the construction of a 100-bed psychiatric care facility at the Osawatomie state hospital: *Provided*, That the above agency will issue a report detailing the results of the request to the joint committee on state building construction, the senate ways and means committee and the house of representatives appropriations committee on or before January 8, 2018.

(v) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2018, the following:

Children's mental health
waiver (039-00-2000-2403).....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(w) During the fiscal year ending June 30, 2018, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 100.

KANSAS DEPARTMENT FOR
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Administration official
hospitality (039-00-1000-0204).....\$1,748

Provided, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Administration –
assessments (039-00-1000-0210).....\$456,742

Provided, That any unencumbered balance in the administration – assessments – Level I care account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Senior care act (039-00-1000-0260).....\$2,515,000

Provided, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2018 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2018: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2019 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2018: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –
state match (039-00-1000-0280).....\$3,845,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2018 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2018: *And provided further*; That the secretary for

aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2019 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2018: *And provided further;* That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

LTC – medicaid assistance –
NF (039-00-1000-0520).....\$651,956,862

Provided, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further;* That in addition to the other purposes for which expenditures may be made by the above agency from the LTC – medicaid assistance – NF account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the LTC – medicaid assistance – NF account of the state general fund for fiscal year 2019 for the purpose of providing a 4% rate increase for providers of home and community based services under each of the waivers provided by section 1915(c) of the federal social security act.

LTC – medicaid assistance –
PACE (039-00-1000-0530).....\$7,129,380

Provided, That any unencumbered balance in the LTC – medicaid assistance – PACE account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further;* That all expenditures made from the LTC – medicaid assistance – PACE account shall be for the PACE program: *And provided further;* That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services which are determined to be the most economical services available with regard to state general fund expenditures.

Nursing facilities
regulation (039-00-1000-0710).....\$1,059,462

Provided, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Nursing facilities regulation –
title XIX (039-00-1000-0712).....\$1,362,703

Provided, That any unencumbered balance in the nursing facilities regulation – title

XIX account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Health occupational credentialing (039-00-1000-0800).....	\$673,756
State operations (039-00-1000-0801).....	\$17,642,543

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated to the state operations account for fiscal year 2019: *Provided further*; That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants (039-00-1000-1010).....	\$2,174,369
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Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Mental health and intellectual disabilities aid and assistance (039-00-1000-4001).....	\$23,132,722
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Provided, That any unencumbered balance in the mental health and intellectual disabilities aid and assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Community mental health centers supplemental funding (039-00-1000-3001).....	\$35,880,993
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Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That, if 2017 House Bill No. 2180, or any other legislation that directs the director of accounts and reports to transfer moneys from the medical assistance fee fund to the community mental health center improvement fund during fiscal year 2019, is passed by the legislature during the 2017 regular session and enacted into law, then on July 1, 2018, or as soon thereafter as such transfer is made, as certified by the director of the budget, of the amount appropriated for fiscal year 2019 by this section from the state general fund in the community mental health centers supplemental funding account, the sum of \$5,000,000 is hereby lapsed: *And provided further*; That, if the amount of moneys transferred from the medical

assistance fee fund to the community mental health centers supplemental funding account during fiscal year 2019 pursuant to such legislation is less than \$5,000,000, then the amount of moneys lapsed under this proviso shall be equal to the amount of moneys transferred: *And provided further*; That, if 2017 House Bill No. 2313, or any other legislation that directs the director of accounts and reports to transfer moneys from the lottery operating fund to the community crisis stabilization centers fund during fiscal year 2019, is passed by the legislature during the 2017 regular session and enacted into law, then on July 1, 2018, or as soon thereafter as such transfer is made, as certified by the director of the budget, of the amount appropriated for fiscal year 2019 by this section from the state general fund in the community mental health centers supplemental funding account, the sum of \$6,000,000 is hereby lapsed: *And provided further*; That, when the director of the budget makes any certification under this proviso, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Community aid (039-00-1000-3004).....\$17,257,484

Provided, That any unencumbered balance in the community aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Kansas neurological institute – operating
expenditures (363-00-1000-0303).....\$9,510,399

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating
expenditures (410-00-1000-0103).....\$36,478,239

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and

amendments thereto.

Larned state hospital – sexual predator treatment program (410-00-1000-0200).....\$17,197,449

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Osawatomie state hospital – operating expenditures (494-00-1000-0100).....\$10,229,235

Provided, That any unencumbered balance in the Osawatomie state hospital – operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That, of the moneys appropriated in the Osawatomie state hospital – operating expenditures account, \$4,700,000 shall be expended for the purpose of opening and operating 20 additional beds at the Osawatomie state hospital: *And provided further*, That if the secretary is unable to open and operate such additional beds, the secretary shall expend such funds to enter into an agreement for such additional bed space at a third-party facility.

Osawatomie state hospital – certified care expenditures (494-00-1000-0101).....\$8,000,000

Provided, That any unencumbered balance in the Osawatomie state hospital – certified care expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from the Osawatomie state hospital – certified care account for official hospitality shall not exceed \$150.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$9,805,748

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*, That expenditures may be made from this account for educational services contracts which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*, That such educational services contracts shall not be

subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto; *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally-used items, which were constructed for use by such residents and which are hereby authorized to be transferred to such residents, from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital
and training center –
sexual predator treatment
program (507-00-1000-0200).....\$1,949,103

Larned state hospital – SPTP new crimes
reimbursement (410-00-1000-0110).....\$250,000

Provided, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Larned state hospital – SPTP
reintegration (410-00-0400).....\$1,888,206

Provided, That any unencumbered balance in the Larned state hospital – SPTP reintegration account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in each of the following accounts is hereby reappropriated for fiscal year 2019: Administration – medicaid (039-00-1000-0240), Administration – older Americans act match (039-00-1000-0250), community based services (039-00-1000-3003).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....No limit

Provided, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund; *Provided further*; That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX
 reimbursements fund (363-00-2060-2200).....No limit

Larned state hospital title XIX
 reimbursements fund (410-00-2074-2200).....No limit

Osawatomie state hospital title XIX
 reimbursements fund (494-00-2080-4300).....No limit

Osawatomie state hospital certified care title XIX
 reimbursements fund (494-00-2080-4301).....No limit

Parsons state hospital title XIX
 reimbursements fund (507-00-2083-2300).....No limit

Kansas neurological institute fee fund (363-00-2059-2000).....\$1,746,245

Kansas neurological institute –
 foster grandparents program –
 federal fund (363-00-3115-3200).....No limit

Kansas neurological institute –
 FGP gifts, grants, donations
 fund (363-00-7125-7400).....No limit

Kansas neurological institute –
 patient benefit
 fund (363-00-7910-7100).....No limit

Kansas neurological institute –
 work therapy patient benefit
 fund (363-00-7940-7200).....No limit

Larned state hospital fee
 fund (410-00-2073-2100).....\$3,946,302

Larned state hospital – work
 therapy patient benefit
 fund (410-00-7938-7200).....No limit

Larned state hospital – canteen
 fund (410-00-7806-7000).....No limit

Larned state hospital – patient benefit fund (410-00-7912-7100).....No limit

Osawatomie state hospital – canteen fund (494-00-7807-5600).....No limit

Osawatomie state hospital – patient benefit fund (494-00-7914-5700).....No limit

Osawatomie state hospital – work therapy patient benefit fund (494-00-7939-5800).....No limit

Osawatomie state hospital – motor pool revolving fund (494-00-6164-5200).....No limit

Osawatomie state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....No limit

Osawatomie state hospital – training fee revolving fund (494-00-2602-2000).....No limit

Provided, That all moneys received as fees for training activities for Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomie state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomie state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomie state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomie state hospital.

Osawatomie state hospital fee fund (494-00-2079-4200).....\$1,469,674

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomie state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomie state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee

account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomie state hospital: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomie state hospital fee fund.

Osawatomie state hospital certified care (494-00-2079-4201).....\$2,220,000

Parsons state hospital and training center – canteen fund (507-00-7808-5500).....No limit

Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).....No limit

Parsons state hospital and training center – work therapy patient benefit fund (507-00-7941-5700).....No limit

Parsons state hospital and training center fee fund (507-00-2082-2200).....\$1,372,386

Provided, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*; That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*; That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Special program for aging IIIB – federal fund (039-00-3287-3281).....No limit

Special program for aging IIIC – federal fund (039-00-3425-3423).....No limit

Special program for aging IIID – federal fund (039-00-3286-3285).....No limit

National family caregiver support program III E – federal fund (039-00-3289-3201).....No limit

Special program for aging IV & II – federal fund (039-00-3288-3297).....No limit

Special program for aging VII-2 – federal fund (039-00-3358-3072).....No limit

Special program for aging VII-3 – federal fund (039-00-3402-3000).....No limit

Survey & certification – federal fund (039-00-3064-3064).....No limit

Provided, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2019 pursuant to a contract which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.

Center for medicare/medicaid service – federal fund (039-00-3408-3300).....No limit

Money follows the person grant – federal fund (039-00-3054-4000).....No limit

Medicaid assistance program – federal fund (039-00-1000-0500).....No limit

Social service block grant fund (039-00-3307-3371).....\$4,500,000

Provided, That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2018 by the area agency on aging which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2018: *Provided further*, That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2019 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2018: *And provided further*, That all people receiving or

applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services which are determined to be the most economical services available.

Nutrition service incentive program fund –
federal (039-00-3552-3552).....No limit

National bioterrorism hospital
preparedness program –
federal fund (039-00-3398-4386).....No limit

Senior citizen nutrition check-off
fund (039-00-2660-2610).....No limit

Quality care services
fund (039-00-2999-2902).....No limit

Provided, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 2016 Supp. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 2016 Supp. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*; That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 2016 Supp. 75-7435, and amendments thereto.

State licensure fee
fund (039-00-2373-2370).....No limit

General fees
fund (039-00-2524-2500).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to collect (1) fees from the sale of surplus property, (2) fees charged for searching, copying and transmitting copies of public records, (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property, and (4) other miscellaneous fees: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services, or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations
fund (039-00-7309-7000).....No limit

Provided, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and collection
fund (039-00-2363-2100).....No limit

Provided, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*, That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*, That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*, That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.

SHICK fund – grants –
federal (039-00-3913-3800).....No limit

Long-term care loan and grant
fund (039-00-5110-5100).....No limit

Health facilities review
fund (039-00-2308-2400).....No limit

Medicare enrollment
assistance program fund –
federal (039-00-3468-3450).....No limit

Medical assistance program – federal
fund (039-00-3414-0442).....No limit

DADS social welfare
fund (039-00-2141-2195).....No limit

Other state fees fund – community alcohol treatment (039-00-2661-0000).....	No limit
Substance abuse/mental health services – partnership for success – federal fund (039-00-3284-1327).....	No limit
Substance abuse/mental health supported employment – federal fund (039-00-3284-1329).....	No limit
Community mental health block grant federal fund (039-00-3310-0460).....	No limit
Prevention/treatment substance abuse federal fund (039-00-3301-0310).....	No limit
Problem gambling and addictions grant fund (039-00-2371-2371).....	No limit
Alternatives to psych. resid. treatment facilities for children federal fund (039-00-3384-4495).....	No limit
Substance abuse performance outcome grant federal fund (039-00-3881-3881).....	No limit
ADAS data collection grant federal fund (039-00-3887-3887).....	No limit
Money follows the person rebalancing demonstration federal fund (039-00-3054-4041).....	No limit
Temporary assistance for needy families – fed funds (039-00-3323-3323).....	No limit
Coop agreement to benefit homeless – federal fund (039-00-3284-1321).....	No limit

Assistance in transition from homelessness
federal fund (039-00-3284-1321).....No limit

Olmstead fellowship
program (039-00-3885-3885).....No limit

Medicare fund –
SHICK (039-00-3408-3400).....No limit

Medicare fund –
oasis (039-00-3408-3350).....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state highway
fund (039-00-2160-2160).....\$9,750,000

Provided, That on July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

Indirect cost fund (039-00-2193-2193).....No limit

Kansas national background
check program –
federal fund (039-00-3032-3132).....No limit

Systems of care grant –
federal fund (039-00-3595-3595).....No limit

Community mental health center improvement fund.....No limit

Community crisis stabilization centers fund.....No limit

Clubhouse model program fund.....No limit

(c) On July 1, 2018, and on other occasions during fiscal year 2019 when necessary

as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs, from specified special revenue funds of the Kansas department for aging and disability services, to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2018, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2018, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen (507-00-7808-5500) fund to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2018, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2019, no moneys paid by the Kansas department for aging and disability services from the mental health and intellectual disabilities aid and assistance account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit, or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2019, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2019 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2019, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2019 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability

services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2019 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund for fiscal year 2019 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2019 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2019: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2019 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2019 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On October 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the governor's department.

(l) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's department.

(m) During the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2019 for the Kansas department for aging and disability services as authorized by this or other appropriation act of the 2017 or 2018 regular

session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2019 to fix, charge and collect fees from parents for services provided to their children by an institution or program of the Kansas department for aging and disability services: *Provided*, That all moneys received by the Kansas department for aging and disability services for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the DADS social welfare fund (039-00-2141-2195).

(n) On June 30, 2019, notwithstanding the provisions of K.S.A. 2016 Supp. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the problem gambling and addictions grant fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the problem gambling and addictions grant fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the Kansas department for aging and disability services by other state agencies which receive appropriations from the state general fund to provide such services.

(o) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 by this or any other appropriation act of the 2017, 2018 or 2019 regular session of the legislature, expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 to provide medicaid reimbursement for clubhouse rehabilitation services and to enter into contracts with certified clubhouse providers for such services: *Provided*, That, as used in this subsection, "clubhouse rehabilitation services" means a community-based psychosocial rehabilitation program in which the member, with staff assistance, is engaged in operating all aspects of the clubhouse, including food, clerical, reception, janitorial and other member services such as employment training, housing assistance and educational support, and that is designed to alleviate emotional or behavior problems with the goal of transitioning to a less restrictive level of care, reintegrating the member into the community and increasing social connectedness beyond a clinical or employment setting.

(p) During the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 by the above agency by this or any other appropriation act of the 2017, 2018 or 2019 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019 to prepare and submit reports concerning medicaid home and community based services waivers on or before July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, to the director of legislative research and the director of the budget: *Provided*, That the above agency shall submit a separate report for each home and community based services waiver: *Provided further*, That such reports shall include

the actual and projected expenditures for such waiver and actual and projected numbers of individuals provided services under such waiver and average cost per individual served: *And provided further*, That such reports shall include summarized encounter data by waiver population or comparable data to allow for review of such data at the program level.

(q) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2019, the following:

Children's mental health
waiver (039-00-2000-2403).....\$3,800,000

Provided, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(r) During the fiscal year ending June 30, 2019, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 101.

KANSAS DEPARTMENT
FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Youth services aid and
assistance (629-00-1000-7020).....\$2,059,589

Sec. 102.

KANSAS DEPARTMENT
FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

State operations (including official
hospitality) (629-00-1000-0013).....\$94,558,155

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Youth services aid and

assistance (629-00-1000-7020).....\$142,070,655

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Vocational rehabilitation aid and assistance (629-00-1000-5010).....\$4,898,239

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*; That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance (629-00-1000-2010).....\$10,564,295

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements fund (629-00-2585-4125).....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Receipt suspense clearing fund (629-00-9212-0910).....No limit

Client assistance payment clearing fund (629-00-9214-0930).....No limit

Child support collections clearing fund (629-00-9218-0970).....No limit

EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund(629-00-9405-9400).....	No limit
Social welfare fund (629-00-2195-0110).....	No limit
Other state fees fund (629-00-2220).....	No limit
Child welfare services state grants federal fund (629-00-3306-0341).....	No limit
Social services block grant – federal fund (629-00-3307-0370).....	No limit
Temporary assistance to needy families federal fund (629-00-3323-0530).....	No limit
Title IV-B promoting safe/stable families federal fund (629-00-3302).....	No limit
Title IV-B enhance safety of children federal fund (629-00-3304).....	No limit
Title IV-E foster care federal fund (629-00-3337-0419).....	No limit
Medical assistance program federal fund (629-00-3414).....	No limit
Rehabilitation services – vocational rehabilitation federal fund (629-00-3315).....	No limit
Enhance child safety – parental substance abuse federal fund (629-00-3304).....	No limit

SRS enterprise fund (629-00-5105).....	No limit
Child support enforcement federal fund (629-00-3316-9100).....	No limit
Low-income home energy assistance federal fund (629-00-3305-0350).....	No limit
Refugee targeted assistance federal fund (629-00-3375).....	No limit
Childrens health insurance program federal fund (629-00-3424).....	No limit
SNAP employment and training exchange federal fund (629-00-3452).....	No limit
Commodity supp food program federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program federal fund (629-00-3311).....	No limit
Emergency food assistance program federal fund (629-00-3313-2310).....	No limit
Child care and development mandatory and matching federal fund (629-00-3318-0523).....	No limit
Community-based child abuse prevention grants federal fund (629-00-3319-7400).....	No limit
Chafee education and training vouchers program federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments federal fund (629-00-3343-0426).....	No limit

State sexual assault and domestic violence coalitions grants federal fund (629-00-3344-7345).....	No limit
Adoption assistance federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance federal fund (629-00-3378).....	No limit
Head start federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants federal fund (629-00-3382-7210).....	No limit
Independent living state grants federal fund (629-00-3387-5311).....	No limit
Independent living services for older blind federal fund (629-00-3388-5313).....	No limit
Supported employment for individuals with severe disabilities federal fund (629-00-3389-5317).....	No limit
Independent living older blind – ARRA federal fund (629-00-3474-0454).....	No limit
Child care discretionary federal fund (629-00-3028-0522).....	No limit
SNAP employment and training pilot fund (629-00-3321-3321).....	No limit

(c) During the fiscal year ending June 30, 2018, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any

item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2018 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2018, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund (629-00-2585-4125) to the social welfare fund (629-00-2195-0110) the amount specified by the secretary for children and families.

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2018, the following:

Child care (629-00-2000-2406).....\$5,033,679

Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Family preservation (629-00-2000-2413).....\$2,073,612

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(g) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the temporary assistance to needy families federal fund (629-00-3323-0530) for fiscal year 2018 by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2018 in an amount not to exceed \$3,000,000 for the purpose of funding early childhood home visitation programs provided by any organization that promotes child wellbeing and prevents the abuse and neglect of children through intensive home visits: *Provided, however*; That any such program shall: (1) Be offered to families whose income is less than 200% of the federal poverty level; (2) comply with requirements of the temporary assistance to needy families block grant; and (3) meet any other programmatic requirements of the federal guidelines for the temporary assistance to needy families program.

(h) During fiscal year 2018, in addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated for fiscal year 2018 from the state general fund or from any

special revenue fund or funds by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2018 to provide a report to the house appropriations committee and the senate ways and means committee on the progress and actual expenditures to implement the acceptance of telephonic signatures for public assistance programs pursuant to the provisions of 2017 Substitute for Substitute for Senate Bill No. 95. Such report shall be submitted at the beginning of the 2018 regular session of the legislature.

Sec. 103.

KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2019, the following:

State operations (including official hospitality) (629-00-1000-0013).....\$94,657,656

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Youth services aid and assistance (629-00-1000-7020).....\$141,359,774

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Vocational rehabilitation aid and assistance (629-00-1000-5010).....\$5,132,357

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*, That expenditures may be made from this account by the secretary for children and families for the purchase of worker's compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance (629-00-1000-2010).....\$10,551,714

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Nonfederal reimbursements
fund (629-00-2585-4125).....No limit

Provided, That all nonfederal reimbursements received by the Kansas department for children and families shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Receipt suspense clearing
fund (629-00-9212-0910).....No limit

Client assistance payment clearing
fund (629-00-9214-0930).....No limit

Child support collections clearing
fund (629-00-9218-0970).....No limit

EBT settlement fund (629-00-9219-0980).....No limit

CAP settlement fund (629-00-9219-0990).....No limit

Credit card clearing fund (629-00-9405-9400).....No limit

Social welfare fund (629-00-2195-0110).....No limit

Other state fees fund (629-00-2220).....No limit

Child welfare services state grants federal
fund (629-00-3306-0341).....No limit

Social services block grant –
federal fund (629-00-3307-0370).....No limit

Temporary assistance to needy families
federal fund (629-00-3323-0530).....No limit

Title IV-B promoting safe/stable families
federal fund (629-00-3302).....No limit

Title IV-B enhance safety of children federal fund (629-00-3304).....	No limit
Title IV-E foster care federal fund (629-00-3337-0419).....	No limit
Medical assistance program federal fund (629-00-3414).....	No limit
Rehabilitation services – vocational rehabilitation federal fund (629-00-3315).....	No limit
Enhance child safety – parental substance abuse federal fund (629-00-3304).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Child support enforcement federal fund (629-00-3316-9100).....	No limit
Low-income home energy assistance federal fund (629-00-3305-0350).....	No limit
Refugee targeted assistance federal fund (629-00-3375).....	No limit
Childrens health insurance program federal fund (629-00-3424).....	No limit
SNAP employment and training exchange federal fund (629-00-3452).....	No limit
Commodity supp food program federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program federal fund (629-00-3311).....	No limit
Emergency food assistance program federal fund (629-00-3313-2310).....	No limit

Child care and development mandatory and matching federal fund (629-00-3318-0523).....	No limit
Community-based child abuse prevention grants federal fund (629-00-3319-7400).....	No limit
Chafee education and training vouchers program federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments federal fund (629-00-3343-0426).....	No limit
State sexual assault and domestic violence coalitions grants federal fund (629-00-3344-7345).....	No limit
Adoption assistance federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance federal fund (629-00-3378)	No limit
Head start federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support federal fund(629-00-3380-4360).....	No limit
Children's justice grants to states federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants federal fund (629-00-3382-7210).....	No limit
Independent living state grants federal fund (629-00-3387-5311).....	No limit
Independent living services for older blind federal fund (629-00-3388-5313).....	No limit

Supported employment for individuals with severe disabilities federal fund (629-00-3389-5317).....No limit

Independent living older blind – ARRA federal fund (629-00-3474-0454).....No limit

Child care discretionary federal fund (629-00-3028-0522).....No limit

SNAP employment and training pilot fund (629-00-3321-3321).....No limit

(c) During the fiscal year ending June 30, 2019, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2019 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2019, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports may transfer, in one or more amounts, from the nonfederal reimbursements fund (629-00-2585-4125) to the social welfare fund the amount specified by the secretary for children and families.

(f) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2019, the following:

Child care (629-00-2000-2406).....\$5,033,679

Provided, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Family preservation (629-00-2000-2413).....\$2,073,612

Provided, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(g) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the temporary assistance to needy families federal fund (629-00-3323-0530) for fiscal year 2019 by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the Kansas department for children and families from such moneys appropriated for fiscal year 2019 in an amount not to exceed \$3,000,000 for the purpose of funding early childhood home visitation programs provided by any organization that promotes child wellbeing and prevents the abuse and neglect of children through intensive home visits: *Provided, however,* That any such program shall: (1) Be offered to families whose income is less than 200% of the federal poverty level; (2) comply with requirements of the temporary assistance to needy families block grant; and (3) meet any other programmatic requirements of the federal guidelines for the temporary assistance to needy families program.

Sec. 104.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Kansas guardianship program (261-00-1000-0300).....	\$1,149,415
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Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Sec. 105.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Kansas guardianship program (261-00-1000-0300).....	\$1,149,415
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Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Sec. 106.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

KPERS – employer contributions (652-00-1000-0100).....	\$1,882,033
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(b) On the effective date of this act, of the \$2,760,946,624 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 3(a) of chapter 4 of the 2015 Session Laws of Kansas from the state general fund in the block grants to USDs account (652-00-1000-0500), the sum of \$1,882,033 is hereby lapsed.

Sec. 107.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053)..... \$165,000

KPERS – employer contributions – USDs\$113,493,358

Provided, That all expenditures from the KPERS – employer contributions – USDs account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*, That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

KPERS employer contribution layering payment.....\$6,400,000

(b) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,593,452 from the state general fund to the school district extraordinary declining enrollment fund of the department of education.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

Teacher and administrator fee fund (652-00-2723-2060).....No limit

Sec. 108.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (652-00-1000-0053).....\$130,000

KPERS – employer contributions – USDs.....\$201,083,518

Provided, That any unencumbered balance in the KPERS – employer contributions account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all expenditures from the KPERS – employer contributions account shall be for payment of participating employers' contributions to the Kansas public employees retirement system as provided in K.S.A. 74-4939, and amendments thereto: *And provided further*; That expenditures from this account for the payment of participating employers' contributions to the Kansas public employees retirement system may be made regardless of when the liability was incurred.

KPERS employer contribution layering payment.....\$6,400,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State safety fund (652-00-2538-2030).....No limit

Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2019 as soon as moneys are available.

Teacher and administrator fee fund (652-00-2723-2060).....No limit

(c) On July 1, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of section 2(d) of 2017 Senate Bill No. 19, K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (629-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(d) On July 1, 2018, of the \$259,742,946 appropriated for the above agency for the fiscal year ending June 30, 2019, by section 2(a) of 2017 Senate Bill No. 19 from the state general fund in the KPERS – employer contributions account (652-00-1000-0100), the sum of \$232,857,897 is hereby lapsed.

Sec. 109.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (434-00-1000-0300).....\$1,299,834

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$795.

Grants to libraries and library systems – grants in aid (434-00-1000-0410).....\$1,071,488

Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,132,613

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$339,942

Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500).....No limit

Federal library services and technology act – fund (434-00-3257-3000).....No limit

Grants and gifts fund (434-00-7304-7000).....No limit

Statewide database contribution (434-00-7304-7003).....No limit

Sec. 110.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2019, the following:

Operating expenditures (434-00-1000-0300).....\$1,328,964

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants in aid (434-00-1000-0400).....\$1,067,914

Provided, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,128,483

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$327,062

Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500).....No limit

Federal library services and technology act – fund (434-00-3257-3000).....No limit

Grants and gifts fund (434-00-7304-7000).....No limit

Statewide database contribution (434-00-7304-7003).....No limit

Sec. 111.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (604-00-1000-0303).....\$5,224,346

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: Provided, however; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (604-00-2093-2000).....No limit

Reserve fund (604-00-2628-2628).....No limit

Local services reimbursement fund (604-00-2088-2500).....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: Provided further; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (604-00-2146-2100).....No limit

Special bequest fund (604-00-7333-5001).....No limit

Gift fund (604-00-7329-5100).....No limit

Technology lending library – federal fund (604-00-3833-3500).....No limit

Nine month payroll clearing fund (604-00-7714-5200).....	No limit
Food assistance – cash for commodities – federal fund (604-00-3036-3000).....	No limit
Food assistance – breakfast – federal fund (604-00-3037-3100).....	No limit
Food assistance – lunch – federal fund (604-00-3038-3300).....	No limit
Chapter I handicapped – federal fund (604-00-3039-3400).....	No limit
Education improvement – federal fund (604-00-3898-3750).....	No limit
Elementary and secondary education act – federal fund (604-00-3164-3200).....	No limit
Special education assistance – ARRA – federal fund (604-00-3487-3487).....	No limit
E-rate grant – federal fund (604-00-3898-3760).....	No limit
Preparation and mentoring of teachers of the blind and visually impaired – federal fund (604-00-3184-3180).....	No limit
Improve teacher quality grant – federal fund (604-00-3526-3526).....	No limit
School breakfast program – federal fund (604-00-3529-3529).....	No limit
Special education preschool grants – federal fund (604-00-3535-3535).....	No limit
Deaf-blind project – federal fund (604-00-3583-3583).....	No limit

Safe schools – federal fund (604-00-3569-3569).....	No limit
Child and adult care food program – federal fund (604-00-3531-3531).....	No limit
Summer food service program – federal fund (604-00-3591-3591).....	No limit

(c) Notwithstanding the provisions of K.S.A. 76-1115, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the Kansas state school for the blind from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the Kansas state school for the blind from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for the Kansas state school for the blind to have a superintendent of the Kansas state school for the blind that is a separate and distinct position from the superintendent appointed pursuant to K.S.A. 76-1002, and amendments thereto: *Provided*, That the superintendent positions created under K.S.A. 76-1002 and 76-1115, and amendments thereto, shall each be served by a different person.

Sec. 112.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (604-00-1000-0303).....	\$5,273,773
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....	\$133,847
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (604-00-2093-2000).....	No limit
Reserve fund (604-00-2628-2628).....	No limit

Local services reimbursement

fund (604-00-2088-2500).....No limit

Provided, That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (604-00-2146-2100).....No limit

Special bequest fund (604-00-7333-5001).....No limit

Gift fund (604-00-7329-5100).....No limit

Technology lending library –
federal fund (604-00-3833-3500).....No limit

Nine month payroll clearing
fund (604-00-7714-5200).....No limit

Food assistance – cash for commodities –
federal fund (604-00-3036-3000).....No limit

Food assistance – breakfast –
federal fund (604-00-3037-3100).....No limit

Food assistance – lunch –
federal fund (604-00-3038-3300).....No limit

Chapter I handicapped –
federal fund (604-00-3039-3400).....No limit

Education improvement –
federal fund (604-00-3898-3750).....No limit

Elementary and secondary education act –
federal fund (604-00-3164-3200).....No limit

Special education assistance – ARRA –
federal fund (604-00-3487-3487).....No limit

E-rate grant – federal fund (604-00-3898-3760).....No limit

Preparation and mentoring
of teachers of the blind
and visually impaired –
federal fund (604-00-3184-3180).....No limit

Improve teacher quality grant –
federal fund (604-00-3526-3526).....No limit

School breakfast program –
federal fund (604-00-3529-3529).....No limit

Special education preschool grants –
federal fund (604-00-3535-3535).....No limit

Deaf-blind project –
federal fund (604-00-3583-3583).....No limit

Safe schools – federal fund (604-00-3569-3569).....No limit

Child and adult care food program –
federal fund (604-00-3531-3531).....No limit

Summer food service program –
federal fund (604-00-3591-3591).....No limit

(c) Notwithstanding the provisions of K.S.A. 76-1115, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the Kansas state school for the blind from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the Kansas state school for the blind from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for the Kansas state school for the blind to have a superintendent of the Kansas state school for the blind that is a separate and distinct position from the superintendent appointed pursuant to K.S.A. 76-1002, and amendments thereto: *Provided*, That the superintendent positions created under K.S.A. 76-1002 and 76-1115, and amendments thereto, shall each be served by a different person.

Sec. 113.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (610-00-1000-0303).....\$8,769,122

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- General fees fund (610-00-2094-2000).....No limit
- Reserve fund (610-00-2720-2720).....No limit
- Local services reimbursement fund (610-00-2091-2200).....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

- Student activity fees fund (610-00-2147-2100).....No limit
- Elementary and secondary education act – federal fund (610-00-3166-3200).....No limit
- Elementary and secondary education act 2009 ARRA – federal fund (610-00-3166-3210).....No limit

Vocational education fund – federal (610-00-3167-3300).....No limit

School lunch program – federal fund (610-00-3201-3000).....No limit

Special bequest fund (610-00-7321-5500).....No limit

Special workshop fund (610-00-7504-5800).....No limit

Gift fund (610-00-7330-5600).....No limit

Nine month payroll clearing

fund (610-00-7715-5700).....No limit

Special education state grants – federal fund (610-00-3234-3234).....No limit

Special education state grants ARRA – federal fund (610-00-3487-3487).....No limit

Special education preschool ARRA – federal fund (610-00-3514-3514).....No limit

Improve teacher quality grant – federal fund (610-00-3526-3526).....No limit

School breakfast program – federal fund (610-00-3529-3529).....No limit

National school lunch program ARRA – federal fund (610-00-3530-3530).....No limit

Special education preschool grants – federal fund (610-00-3535-3535).....No limit

Personnel development grant – federal fund (610-00-3184-3184).....No limit

Safe schools – federal fund (610-00-3569-3569).....No limit

Summer food service program – federal fund (610-00-3591-3591).....No limit

(c) Notwithstanding the provisions of K.S.A. 76-1002, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the Kansas state school for the deaf from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the Kansas state school for the deaf from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for the Kansas state school for the deaf to have a superintendent of the Kansas state school for the deaf that is a separate and distinct position from the superintendent appointed pursuant to K.S.A. 76-1115, and amendments thereto: *Provided*, That the superintendent positions created under K.S.A. 76-1002 and 76-1115, and amendments thereto, shall each be served by a different

person: *Provided further*, That in selecting a superintendent of the Kansas state school for the deaf, the state board of education shall select an individual who demonstrates professional fluency in American sign language and English.

Sec. 114.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (610-00-1000-0303).....\$8,838,983

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (610-00-2094-2000).....No limit

Reserve fund (610-00-2720-2720).....No limit

Local services reimbursement fund (610-00-2091-2200).....No limit

Provided, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (610-00-2147-2100).....No limit

Elementary and secondary education act – federal fund (610-00-3166-3200).....No limit

Elementary and secondary education act 2009 ARRA – federal fund (610-00-3166-3210).....No limit

Vocational education fund – federal (610-00-3167-3300).....No limit

School lunch program – federal fund (610-00-3201-3000).....No limit

Special bequest fund (610-00-7321-5500).....	No limit
Special workshop fund (610-00-7504-5800).....	No limit
Gift fund (610-00-7330-5600).....	No limit
Nine month payroll clearing fund (610-00-7715-5700).....	No limit
Special education state grants – federal fund (610-00-3234-3234).....	No limit
Special education state grants ARRA – federal fund (610-00-3487-3487).....	No limit
Special education preschool ARRA – federal fund (610-00-3514-3514).....	No limit
Improve teacher quality grant – federal fund (610-00-3526-3526).....	No limit
School breakfast program – federal fund (610-00-3529-3529).....	No limit
National school lunch program ARRA – federal fund (610-00-3530-3530).....	No limit
Special education preschool grants – federal fund (610-00-3535-3535).....	No limit
Personnel development grant – federal fund (610-00-3184-3184).....	No limit
Safe schools – federal fund (610-00-3569-3569).....	No limit
Summer food service program – federal fund (610-00-3591-3591).....	No limit

(c) Notwithstanding the provisions of K.S.A. 76-1002, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the Kansas state school for the deaf from the moneys appropriated from the state general fund or from any special revenue

fund or funds for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the Kansas state school for the deaf from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for the Kansas state school for the deaf to have a superintendent of the Kansas state school for the deaf that is a separate and distinct position from the superintendent appointed pursuant to K.S.A. 76-1115, and amendments thereto: *Provided*, That the superintendent positions created under K.S.A. 76-1002 and 76-1115, and amendments thereto, shall each be served by a different person: *Provided further*, That in selecting a superintendent of the Kansas state school for the deaf, the state board of education shall select an individual who demonstrates professional fluency in American sign language and English.

Sec. 115.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (288-00-1000-0083).....	\$3,881,146
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas humanities council (288-00-1000-0600).....	\$50,501
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund (288-00-9455-9400).....	No limit
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Vehicle repair and replacement fund (288-00-6166-6000).....	No limit
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General fees fund (288-00-2047-2300).....	No limit
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Archeology fee fund (288-00-2638-2350).....	No limit
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Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund (288-00-2436-2700).....No limit

Soil/water conservation fund (288-00-3083-3110).....No limit

Microfilm fees fund (288-00-2246-2370).....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100).....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310).....No limit

Historic preservation grants in aid fund (288-00-3089-3700).....No limit

Historic preservation overhead fees fund (288-00-2916-2380).....No limit

National historic preservation act fund – local (288-00-3089-3000).....No limit

Private gifts, grants and bequests fund (288-00-7302-7000).....No limit

Museum and historic sites visitor donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$55,404.

Land survey fee fund (288-00-2234-2330).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2018 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....No limit

State historical society facilities fund (288-00-2192-2420).....No limit

Historic properties fund (288-00-2144-2400).....No limit

Law enforcement memorial fund (288-00-7344-7300).....No limit

Highway planning/construction fund (288-00-3333-3333).....No limit

Save America's treasures fund (288-00-3923-4000).....No limit

Archeology federal fund (288-00-2638-2350).....No limit

Property sale proceeds fund (288-00-2414-2500).....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018 to fix admission fees at

constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however;* That such admission fees may be increased by the above agency during fiscal year 2018 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further;* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 116.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (288-00-1000-0083).....	\$3,897,369
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Kansas humanities council (288-00-1000-0600).....	\$50,501
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(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit card clearing fund (288-00-9455-9400).....	No limit
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Vehicle repair and replacement fund (288-00-6166-6000).....	No limit
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General fees fund (288-00-2047-2300).....	No limit
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Archeology fee fund (288-00-2638-2350).....	No limit
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Provided, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further;* That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further;* That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further;* That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

Conversion of materials and equipment fund (288-00-2436-2700).....No limit

Soil/water conservation fund (288-00-3083-3110).....No limit

Microfilm fees fund (288-00-2246-2370).....No limit

Provided, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

Records center fee fund (288-00-2132-2100).....No limit

Provided, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

Historic properties fee fund (288-00-2164-2310).....No limit

Historic preservation grants in aid fund (288-00-3089-3700).....No limit

Historic preservation overhead fees fund (288-00-2916-2380).....No limit

National historic preservation act fund – local (288-00-3089-3000).....No limit

Private gifts, grants and bequests fund (288-00-7302-7000).....No limit

Museum and historic sites visitor donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

Provided, That expenditures from the heritage trust fund for state operations shall not exceed \$56,244.

Land survey fee fund (288-00-2234-2330).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2019 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....No limit

State historical society facilities fund (288-00-2192-2420).....No limit

Historic properties fund (288-00-2144-2400).....No limit

Law enforcement memorial fund (288-00-7344-7300).....No limit

Highway planning/construction fund (288-00-3333-3333).....No limit

Save America's treasures fund (288-00-3923-4000).....No limit

Archeology federal fund (288-00-2638-2350).....No limit

Property sale proceeds fund (288-00-2414-2500).....No limit

Provided, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the

legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2019 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however,* That such admission fees may be increased by the above agency during fiscal year 2019 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further,* That the state historical society may request annual financial statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 117.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....	\$31,407,939
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Master's-level nursing capacity (246-00-1000-0100).....	\$130,566
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Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200).....	\$249,029
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Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas academy of math and science (246-00-1000-0300).....	\$697,529
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Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund (246-00-3394-3500).....No limit

Service clearing fund (246-00-6000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees
fund (246-00-2511-2050).....No limit

Health fees fund (246-00-5101-5000).....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees
fund (246-00-5102-5010).....No limit

Provided, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program
fund (246-00-2548-2060).....No limit

Economic opportunity act –
federal fund (246-00-3034-3000).....No limit

Faculty of distinction matching
fund (246-00-2471-2400).....No limit

Nine month payroll clearing account
fund (246-00-7709-7060).....No limit

Federal Perkins student loan
fund (246-00-7501-7050).....No limit

Housing system revenue
fund (246-00-5103-5020).....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead

fund (246-00-2900-2070).....	No limit
Oil and gas royalties fund (246-00-2036-2010).....	No limit
Housing system suspense fund (246-00-5707-5090).....	No limit
Sponsored research overhead fund (246-00-2914-2080).....	No limit
Kansas distinguished scholarship fund (246-00-7204-7000).....	No limit
Temporary deposit fund (246-00-9013-9400).....	No limit
Federal receipts suspense fund (246-00-9105-9410).....	No limit
Suspense fund (246-00-9134-9420).....	No limit
Mandatory retirement annuity clearing fund (246-00-9136-9430).....	No limit
Voluntary tax shelter annuity clearing fund (246-00-9163-9440).....	No limit
Agency payroll deduction clearing fund (246-00-9197-9450).....	No limit
Pre-tax parking clearing fund (246-00-9220-9200).....	No limit
University payroll fund (246-00-9800).....	No limit
University federal fund (246-00-3141-3140).....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*; That expenditures may be made by the above agency from

this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 118.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....\$31,552,129

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Master's-level nursing capacity (246-00-1000-0100).....\$130,758

Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200).....\$249,368

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Kansas academy of math and science (246-00-1000-0300).....\$698,023

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital

improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media; conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act – federal fund (246-00-3394-3500).....No limit

Service clearing fund (246-00-6000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies,

paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees
fund (246-00-2511-2050).....No limit

Health fees fund (246-00-5101-5000).....No limit

Provided, That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Student union fees fund (246-00-5102-5010).....No limit

Provided, That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study program
fund (246-00-2548-2060).....No limit

Economic opportunity act –
federal fund (246-00-3034-3000).....No limit

Faculty of distinction matching
fund (246-00-2471-2400).....No limit

Nine month payroll clearing account
fund (246-00-7709-7060).....No limit

Federal Perkins student loan fund (246-00-7501-7050).....No limit

Housing system revenue fund (246-00-5103-5020).....No limit

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

Institutional overhead fund (246-00-2900-2070).....No limit

Oil and gas royalties fund (246-00-2036-2010).....No limit

Housing system suspense

fund (246-00-5707-5090).....No limit

Sponsored research overhead
fund (246-00-2914-2080).....No limit

Kansas distinguished scholarship
fund (246-00-7204-7000).....No limit

Temporary deposit fund (246-00-9013-9400).....No limit

Federal receipts suspense
fund (246-00-9105-9410).....No limit

Suspense fund (246-00-9134-9420).....No limit

Mandatory retirement annuity clearing
fund (246-00-9136-9430).....No limit

Voluntary tax shelter annuity clearing
fund (246-00-9163-9440).....No limit

Agency payroll deduction clearing
fund (246-00-9197-9450).....No limit

Pre-tax parking clearing
fund (246-00-9220-9200).....No limit

University payroll fund (246-00-9800).....No limit

University federal
fund (246-00-3141-3140).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *Provided further*; That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in K.S.A. 75-4101, and amendments thereto.

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays

state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 119.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....\$89,780,558

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....\$124,640

Provided, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Global food systems (367-00-1000-0190).....\$960,000

Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That all moneys in the global food systems account expended for fiscal year 2018 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*; That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2018.

Kansas state university polytechnic campus (367-00-1000-0150).....\$5,837,859

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed K.S.A. 75-3711c(c), and amendments thereto,

may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further*; That expenditures may be made from this fund for official hospitality.

Kansas career work study program
fund (367-00-2540-2090).....No limit

Service clearing fund (367-00-6003-7000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead
fund (367-00-2901-2160).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense
fund (367-00-5708-4830).....No limit

Housing system operations
fund (367-00-5163).....No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment
and improvement
fund (367-00-5641-4740).....No limit

Mandatory retirement annuity clearing fund (367-00-9137-9310).....No limit

Student health fees fund (367-00-5109-4410).....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund (367-00-7201-7210).....No limit

Perkins student loan fund (367-00-7506-7260).....No limit

Federal award advance payment – U.S. department of education awards fund (367-00-3855-3350).....No limit

State agricultural university fund (367-00-7400-7250).....No limit

Salina – student union fees fund (367-00-5114-4420).....No limit

Salina – housing system revenue fund (367-00-5117-4430).....No limit

Salina – housing system suspense fund (367-00-5724-4890).....No limit

Kansas comprehensive grant fund (367-00-7223-7300).....No limit

Temporary deposit fund (367-00-9020-9300).....No limit

Business procurement card clearing fund (367-00-9102-9400).....No limit

Suspense fund (367-00-9146-9320).....No limit

Voluntary tax shelter annuity clearing
fund (367-00-9164-9330).....No limit

Agency payroll deduction clearing
fund (367-00-9186-9360).....No limit

Pre-tax parking clearing
fund (367-00-9221-9200).....No limit

Salina student life center revenue
fund (367-00-5111-5120).....No limit

Child care facility revenue
fund (367-00-5125-5101).....No limit

University federal fund (367-00-3142).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements
fund (367-00-8222).....No limit

Animal health research
fund (367-00-2053-2053).....No limit

National bio agro-defense facility
fund (367-00-2058-2058).....No limit

Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund –
KSU (367-00-2154-2154).....No limit

Payroll clearing fund (367-00-9801-9000).....No limit

Fed ext emp clearing fund –
employee deduct (367-00-9182-9340).....No limit

Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....No limit

Temp dep fund external source (367-00-9065-9305).....No limit

Nine month payroll clearing fund (367-00-7710-7270).....No limit

Interest bearing grants fund (367-00-2630-2630).....No limit

Provided, That, on or before the 10th day of each month commencing during fiscal year 2018, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund (367-00-2062-2000) to the Perkins student loan fund (367-00-7506-7260).

(d) On July 1, 2017, the board of regents – U.S. department of education awards fund (367-00-3855-3350) is hereby redesignated as the federal award advance payment – U.S. department of education awards fund (367-00-3855-3350).

(e) On July 1, 2017, the Salina – housing system operation fund (367-00-5117-4430) is hereby redesignated as the Salina housing system revenue fund (367-00-5117-4430).

Sec. 120.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....\$91,031,275

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....\$125,938

Provided, That any unencumbered balance in the midwest institute for comparative

stem cell biology account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Global food systems (367-00-1000-0190).....\$970,000

Provided, That any unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2019 shall be matched by Kansas state university on a \$1 for \$1 basis from other moneys of Kansas state university: *And provided further*, That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2019.

Kansas state university polytechnic campus (367-00-1000-0150).....\$5,920,065

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer

services; copy centers; standardized test fees; placement center; recreational services; college of technology and aviation; motor pool; music; professorships; student activities fees; army and aerospace uniforms; aerospace uniform augmentation; biology sales and services; chemistry; field camps; state department of education; physics storeroom; sponsored research, instruction, public service, equipment and facility grants; chemical engineering; nuclear engineering; contract-post office; library collections; civil engineering; continuing education; sponsored construction or improvement projects; attorney, educational and personal development, human capital resources; student financial assistance; application for undergraduate programs; speech and hearing fees; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; student identification card; auditorium receipts; catalog sales; emission spectroscopy fees; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; human ecology storeroom; college of human ecology sales; family resource center fees; human movement performance; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; postage center; printing; short courses and conferences; student government association receipts; regents educational communications center; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study program
fund (367-00-2540-2090).....No limit

Service clearing fund (367-00-6003-7000).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund (367-00-2901-2160).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Housing system suspense fund (367-00-5708-4830).....No limit

Housing system operations fund (367-00-5163).....No limit

Provided, That expenditures may be made from the housing system operations fund for official hospitality.

Housing system repairs, equipment and improvement fund (367-00-5641-4740).....No limit

Mandatory retirement annuity clearing fund (367-00-9137-9310).....No limit

Student health fees fund (367-00-5109-4410).....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Scholarship funds fund (367-00-7201-7210).....No limit

Perkins student loan fund (367-00-7506-7260).....No limit

Federal award advance payment –
U.S. department of education
awards fund (367-00-3855-3350).....No limit

State agricultural university
fund (367-00-7400-7250).....No limit

Salina – student union fees
fund (367-00-5114-4420).....No limit

Salina – housing system revenue
fund (367-00-5117-4430).....No limit

Salina – housing system suspense
fund (367-00-5724-4890).....No limit

Kansas comprehensive grant
fund (367-00-7223-7300).....No limit

Temporary deposit fund (367-00-9020-9300).....No limit

Business procurement card clearing
fund (367-00-9102-9400).....No limit

Suspense fund (367-00-9146-9320).....No limit

Voluntary tax shelter annuity clearing
fund (367-00-9164-9330).....No limit

Agency payroll deduction clearing
fund (367-00-9186-9360).....No limit

Pre-tax parking clearing fund (367-00-9221-9200).....No limit

Salina student life center revenue
fund (367-00-5111-5120).....No limit

Child care facility revenue fund (367-00-5125-5101).....No limit

University federal fund (367-00-3142).....No limit

Provided, That expenditures may be made by the above agency from the university

federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Energy conservation improvements fund (367-00-8222).....No limit

Animal health research fund (367-00-2053-2053).....No limit

National bio agro-defense facility fund (367-00-2058-2058).....No limit

Provided, That all expenditures from the national bio agro-defense facility fund shall be expended in accordance with the governor's national bio agro-defense facility steering committee's plan and shall be approved by the president of Kansas state university.

Kan-grow engineering fund – KSU (367-00-2154-2154).....No limit

Payroll clearing fund (367-00-9801-9000).....No limit

Fed ext emp clearing fund – employee deduct (367-00-9182-9340).....No limit

Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....No limit

Temp dep fund external source (367-00-9065-9305).....No limit

Nine month payroll clearing fund (367-00-7710-7270).....No limit

Interest bearing grants fund (367-00-2630-2630).....No limit

Provided, That, on or before the 10th day of each month commencing during fiscal year 2019, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed \$100,000 from the general fees fund (367-00-2062-2000) to the Perkins student loan fund (367-00-7506-7260).

(d) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$5,000,000 from the state general fund to the national bio agro-defense facility fund (367-00-2058-2058) of Kansas state university.

Sec. 121.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....\$17,528,414

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....\$28,091,957

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public

service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2018: *And provided further,* That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit

Sponsored research overhead fund (369-00-2921-1200).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance payment fund (369-00-3872-1360).....No limit

Smith-Lever special program grant – federal fund (369-00-3047-1330).....No limit

Faculty of distinction matching fund (369-00-2479-1190).....No limit

Agricultural land use-value fund (369-00-2364-1180).....No limit

University federal fund (369-00-3144).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

Agricultural experiment stations (369-00-1900-1900).....\$294,659

(d) During the fiscal year ending June 30, 2018, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for: (1) Any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age; or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 122.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....\$17,565,919

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....\$28,158,705

Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland

farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2019: *And provided further*; That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit

Sponsored research overhead
fund (369-00-2921-1200).....No limit

Provided, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance payment
fund (369-00-3872-1360).....No limit

Smith-Lever special program grant –
federal fund (369-00-3047-1330).....No limit

Faculty of distinction matching
fund (369-00-2479-1190).....No limit

Agricultural land use-value
fund (369-00-2364-1180).....No limit

University federal fund (369-00-3144).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:
Agricultural experiment stations (369-00-1900-1900).....\$295,046

(d) During the fiscal year ending June 30, 2019, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, for: (1) Any financial aid or other support for any 4-H competitive events or activities at county fairs for which the minimum age for participants is increased from 7 years of age to 9 years of age; or (2) any financial aid or other support for any 4-H organization or unit that sponsors competitive events at county fairs and that is planning to increase or has increased the minimum age for participants in such events from 7 years of age to 9 years of age.

Sec. 123.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:
Operating expenditures (including official
hospitality) (368-00-1000-5003).....\$9,164,548

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Operating enhancement (368-00-1000-5023).....\$4,820,967

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018:
Provided further, That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural
 Kansas (368-00-1000-5013).....\$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue
 fund (368-00-5160-5300).....No limit

Faculty of distinction matching
 fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710).....No limit

University federal fund (368-00-3143-5140).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 124.

KANSAS STATE UNIVERSITY
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (368-00-1000-5003).....\$9,234,741

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Operating enhancement (368-00-1000-5023).....\$4,842,934

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: Provided further; That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas (368-00-1000-5013).....\$400,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (368-00-5160-5300).....No limit

Faculty of distinction matching fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710).....No limit

University federal fund (368-00-3143-5140).....No limit

Provided, That expenditures may be made by the above agency from the university

federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 125.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$30,466,691

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That, of the moneys appropriated in the operating expenditures (including official hospitality) account, \$500,000 shall be expended for the nursing program.

Reading recovery program (379-00-1000-0100).....\$206,695

Provided, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l Board Cert/Future Teacher Academy (379-00-1000-0200).....\$125,558

Provided, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*, That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (379-00-2527-2050).....No limit

Kansas career work study program
fund (379-00-2549-2060).....No limit

Student health fees fund (379-00-5115-5010).....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching
fund (379-00-2473-2400).....No limit

Bureau of educational measurements
fund (379-00-5118-5020).....No limit

National direct student loan
fund (379-00-7507-7040).....No limit

Economic opportunity act – work study –
federal fund (379-00-3128-3000).....No limit

Educational opportunity grants –
federal fund (379-00-3129-3010).....No limit

Basic opportunity grant program –
federal fund (379-00-3130-3020).....No limit

Research and institutional overhead
fund (379-00-2902-2070).....No limit

Kansas comprehensive grant
fund (379-00-7224-7060).....No limit

Housing system suspense
fund (379-00-5701-5130).....No limit

Housing system operations
fund (379-00-5169-5050).....No limit

Kansas distinguished scholarship
fund (379-00-2762-2700).....No limit

University federal fund (379-00-3145).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Twin towers project revenue fund (379-00-5120-5030).....No limit

Nine month payroll clearing fund (379-00-7712-7050).....No limit

Temporary deposit fund (379-00-9022-9510).....No limit

Federal receipts suspense fund (379-00-9085-9520).....No limit

Suspense fund (379-00-9021).....No limit

Mandatory retirement annuity clearing fund (379-00-9138-9530).....No limit

Voluntary tax shelter annuity clearing fund (379-00-9165-9540).....No limit

Agency payroll deduction clearing fund (379-00-9196-9550).....No limit

Pre-tax parking clearing fund (379-00-9222-9200).....No limit

University payroll fund (379-00-9802).....No limit

Leveraging educational assistance partnership federal fund (379-00-3224-3200).....No limit

National direct student loan fund (379-00-7507-7040).....No limit

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund (379-00-2069-2010) to the national direct student loan fund (379-00-7507-7040).

Sec. 126.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$30,065,500

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Reading recovery program (379-00-1000-0100).....\$206,836

Provided, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l Board Cert/Future Teacher Academy (379-00-1000-0200).....\$125,566

Provided, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further,* That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (379-00-2527-2050).....No limit

Kansas career work study program fund (379-00-2549-2060).....No limit

Student health fees fund (379-00-5115-5010).....No limit

Provided, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction matching
fund (379-00-2473-2400).....No limit

Bureau of educational measurements
fund (379-00-5118-5020).....No limit

National direct student loan
fund (379-00-7507-7040).....No limit

Economic opportunity act – work study –
federal fund (379-00-3128-3000).....No limit

Educational opportunity grants – federal
fund (379-00-3129-3010).....No limit

Basic opportunity grant program –
federal fund (379-00-3130-3020).....No limit

Research and institutional overhead
fund (379-00-2902-2070).....No limit

Kansas comprehensive grant
fund (379-00-7224-7060).....No limit

Housing system suspense
fund (379-00-5701-5130).....No limit

Housing system operations
fund (379-00-5169-5050).....No limit

Kansas distinguished scholarship
fund (379-00-2762-2700).....No limit

University federal fund (379-00-3145).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Twin towers project revenue
fund (379-00-5120-5030).....No limit

Nine month payroll clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510).....	No limit
Federal receipts suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021).....	No limit
Mandatory retirement annuity clearing fund (379-00-9138-9530).....	No limit
Voluntary tax shelter annuity clearing fund (379-00-9165-9540).....	No limit
Agency payroll deduction clearing fund (379-00-9196-9550).....	No limit
Pre-tax parking clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802).....	No limit
Leveraging educational assistance partnership federal fund (379-00-3224-3200).....	No limit
National direct student loan fund (379-00-7507-7040).....	No limit

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Emporia state university of not to exceed \$30,000 from the general fees fund (379-00-2069-2010) to the national direct student loan fund (379-00-7507-7040).

Sec. 127.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....	\$32,733,957
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Provided, That any unencumbered balance in the operating expenditures (including

official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

School of construction (385-00-1000-0200).....\$721,517

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Polymer science program (385-00-1000-0300).....\$963,757

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance

council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees fund (385-00-5126-5010).....No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*; That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....No limit

Faculty of distinction matching fund (385-00-2474-2400).....No limit

Perkins student loan fund (385-00-7509-7020).....No limit

Sponsored research overhead fund (385-00-2903-2903).....No limit

College work study federal fund (385-00-3498-3030).....No limit

Nursing student loan fund (385-00-7508-7010).....	No limit
Housing system suspense fund (385-00-5703-5170).....	No limit
Housing system operations fund (385-00-5165-5050).....	No limit
Housing system repairs, equipment and improvement fund (385-00-5646-5160).....	No limit
Kansas comprehensive grant fund (385-00-7227-7200).....	No limit
Kansas career work study program fund (385-00-2552-2060).....	No limit
Nine month payroll clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction clearing fund (385-00-9195-9560).....	No limit
Pre-tax parking clearing fund (385-00-9223-9200).....	No limit

University payroll fund (385-00-9803).....No limit

University federal fund (385-00-3146).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010).

(d) On July 1, 2017, the college work study fund (385-00-3498-3030) is hereby redesignated as the college work study federal fund (385-00-3498-3030).

Sec. 128.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....\$32,828,070

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

School of construction (385-00-1000-0200).....\$722,041

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Polymer science program (385-00-1000-0300).....\$964,382

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

Provided, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

Provided, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of

regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health fees
fund (385-00-5126-5010).....No limit

Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: *Provided further*, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.

Suspense fund (385-00-9024-9510).....No limit

Faculty of distinction matching
fund (385-00-2474-2400).....No limit

Perkins student loan fund (385-00-7509-7020).....No limit

Sponsored research overhead
fund (385-00-2903-2903).....No limit

College work study federal
fund (385-00-3498-3030).....No limit

Nursing student loan
fund (385-00-7508-7010).....No limit

Housing system suspense
fund (385-00-5703-5170).....No limit

Housing system operations
fund (385-00-5165-5050).....No limit

Housing system repairs,
equipment and improvement
fund (385-00-5646-5160).....No limit

Kansas comprehensive grant
fund (385-00-7227-7200).....No limit

Kansas career work study program
fund (385-00-2552-2060).....No limit

Nine month payroll clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction clearing fund (385-00-9195-9560).....	No limit
Pre-tax parking clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803).....	No limit
University federal fund (385-00-3146).....	No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

(c) During the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010).

Sec. 129.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official
hospitality) (682-00-1000-0023).....\$122,379,585

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Geological survey (682-00-1000-0170).....\$5,699,859

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2018, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2018 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix
project (682-00-1000-0370).....\$124,913

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities revenue
fund (682-00-5175-5070).....No limit

Provided, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction matching
fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....No limit

Sponsored research overhead fund (682-00-2905-2160).....No limit

Law enforcement training center fund (682-00-2133-2020).....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund (682-00-2763-2700).....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the

restricted fees fund.

Service clearing fund (682-00-6006).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study program fund (682-00-2534-2050).....No limit

Student union fund (682-00-5137-5040).....No limit

Federal Perkins loan fund (682-00-7512-7040).....No limit

Health professions student loan fund (682-00-7513-7050).....No limit

Housing system suspense fund (682-00-5704-5150).....No limit

Housing system operations fund (682-00-5142-5050).....No limit

Housing system repairs, equipment and improvement fund (682-00-5621-5110).....No limit

Educational opportunity act – federal fund (682-00-3842-3020).....No limit

Loans for disadvantaged students fund (682-00-7510-7100).....No limit

Prepaid tuition fees clearing fund (682-00-7765).....No limit

Kansas comprehensive grant fund (682-00-7226-7110).....No limit

Fire service training fund (682-00-2123-2170).....	No limit
University federal fund (682-00-3147).....	No limit
Johnson county education research triangle fund (682-00-2393-2390).....	No limit
Temporary deposit fund (682-00-9061-9020).....	No limit
Suspense fund (682-00-9060-9010).....	No limit
BPC clearing fund (682-00-9119-9050).....	No limit
Mandatory retirement annuity clearing fund (682-00-9142-9030).....	No limit
Voluntary tax shelter annuity clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA Emp health insurance clearing fund (682-00-9063-9070).....	No limit
Standard water data repository fund (682-00-2463-2463).....	No limit
Multicultural rescr center construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering fund – KU (682-00-2153-2153).....	No limit

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university

of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2018, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the geological survey account is hereby reappropriated for fiscal year 2018.

Sec. 130.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (682-00-1000-0023).....\$123,932,492

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Geological survey (682-00-1000-0170).....\$5,774,032

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2019 for seismic surveys in an amount not less than \$100,000.

Umbilical cord matrix project (682-00-1000-0370).....\$126,450

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Parking facilities revenue fund (682-00-5175-5070).....No limit

Provided, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....No limit

Sponsored research overhead fund (682-00-2905-2160).....No limit

Law enforcement training center fund (682-00-2133-2020).....No limit

Provided, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program.

Law enforcement training center fees fund (682-00-2763-2700).....No limit

Provided, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment

income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study program
fund (682-00-2534-2050).....No limit

Student union fund (682-00-5137-5040).....No limit

Federal Perkins loan
fund (682-00-7512-7040).....No limit

Health professions student loan
fund (682-00-7513-7050).....No limit

Housing system suspense
fund (682-00-5704-5150).....No limit

Housing system operations

fund (682-00-5142-5050).....	No limit
Housing system repairs, equipment and improvement fund (682-00-5621-5110).....	No limit
Educational opportunity act – federal fund (682-00-3842-3020).....	No limit
Loans for disadvantaged students fund (682-00-7510-7100).....	No limit
Prepaid tuition fees clearing fund (682-00-7765).....	No limit
Kansas comprehensive grant fund (682-00-7226-7110).....	No limit
Fire service training fund (682-00-2123-2170).....	No limit
University federal fund (682-00-3147).....	No limit
Johnson county education research triangle fund (682-00-2393-2390).....	No limit
Temporary deposit fund (682-00-9061-9020).....	No limit
Suspense fund (682-00-9060-9010).....	No limit
BPC clearing fund (682-00-9119-9050).....	No limit
Mandatory retirement annuity clearing fund (682-00-9142-9030).....	No limit
Voluntary tax shelter annuity clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing	

fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA Emp health insurance clearing fund (682-00-9063-9070).....	No limit
Standard water data repository fund (682-00-2463-2463).....	No limit
Multicultural rescr center construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering fund – KU (682-00-2153-2153).....	No limit

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins student loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2019, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....	\$26,841
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Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the geological survey account is hereby reappropriated for fiscal year 2019.

Sec. 131.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....	\$95,124,592
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health

insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,339,349

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Midwest stem cell therapy center (683-00-1000-0800).....\$723,673

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Rural health bridging (683-00-1000-1010).....\$135,358

Cancer center research (683-00-1000-0700).....\$4,950,814

Provided, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all moneys in the cancer center research account expended for fiscal year 2018 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*, That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy center fund (683-00-2072-2072).....\$0

Faculty of distinction matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551).....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926).....No limit

Kansas breast cancer research fund (683-00-2671-2660).....No limit

Sponsored research overhead fund (683-00-2907-2800).....No limit

Parking facility revenue fund – KC campus (683-00-5176-5550).....No limit

Provided, That expenditures may be made from the parking facility revenue fund – KC campus for capital improvement projects for parking improvements.

Parking fee fund – Wichita campus (683-00-5180-5590).....No limit

Provided, That expenditures may be made from the parking fee fund – Wichita campus for capital improvement projects for parking improvements.

Services to hospital authority fund (683-00-2915-2900).....No limit

Direct medical education reimbursement fund (683-00-2918).....No limit

Service clearing fund (683-00-6007).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan program fund (683-00-7505-7540).....No limit

Federal college work study fund (683-00-3256-3520).....No limit

AMA education and research grant fund (683-00-7207-7500).....No limit

Federal health professions/primary care student loan fund (683-00-7516-7560).....No limit

Federal nursing student loan fund (683-00-7517-7570).....No limit

Suspense fund (683-00-9057-9500).....No limit

Federal student educational opportunity grant fund (683-00-3255-3510).....No limit

Federal Pell grant fund (683-00-3252-3500).....	No limit
Federal Perkins student loan fund (683-00-7515-7550).....	No limit
Medical loan repayment fund (683-00-7214-7520).....	No limit
<i>Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.</i>	
Medical student loan programs provider assessment fund (683-00-2625-2650).....	No limit
Graduate medical education administration reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center private practice foundation reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510).....	No limit
Mandatory retirement annuity clearing fund (683-00-9143-9520).....	No limit
Voluntary tax shelter annuity clearing fund (683-00-9168-9530).....	No limit
Agency payroll deduction clearing fund (683-00-9194-9600).....	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit

University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership federal fund (683-00-3223-3200).....	No limit
Graduate medical education support fund (683-00-5653-5650).....	No limit
Johnson county education research triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan repayment fund.....	No limit
Rural health bridging psychiatry fund	No limit

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal Perkins student loan fund (683-00-7515-7550); federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2018, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

(e) On July 1, 2017, the parking fund – Wichita campus (683-00-5180-5590) is hereby redesignated as the parking fee fund – Wichita campus (683-00-5180-5590).

(f) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the rural health bridging psychiatry fund.

Sec. 132.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....	\$95,605,572
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,353,262

Provided, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Midwest stem cell therapy center (683-00-1000-0800).....\$726,733

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Rural health bridging (683-00-1000-1010).....\$135,792

Cancer center research (683-00-1000-0700).....\$4,957,327

Provided, That any unencumbered balance in the cancer center research account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all moneys in the cancer center research account expended for fiscal year 2019 shall be matched by the university of Kansas medical center on a \$1 for \$1 basis from other moneys of the university of Kansas medical center: *And provided further*; That the university of Kansas medical center shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how cancer center research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys.

Faculty of distinction matching fund (683-00-2476-2400).....No limit

Midwest stem cell therapy center fund (683-00-2072-2072).....\$0

Restricted fees fund (683-00-2551).....No limit

Provided, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: Provided, however, That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: Provided further, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: And provided further, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special revenue fund (683-00-2926).....No limit

Kansas breast cancer research fund (683-00-2671-2660).....No limit

Sponsored research overhead fund (683-00-2907-2800).....No limit

Parking facility revenue fund –
KC campus (683-00-5176-5550).....No limit

Provided, That expenditures may be made from the parking facility revenue fund –
KC campus for capital improvement projects for parking improvements.

Parking fee fund – Wichita
campus (683-00-5180-5590).....No limit

Provided, That expenditures may be made from the parking fee fund – Wichita
campus for capital improvement projects for parking improvements.

Services to hospital authority
fund (683-00-2915-2900).....No limit

Direct medical education reimbursement
fund (683-00-2918).....No limit

Service clearing fund (683-00-6007).....No limit

Provided, That the service clearing fund shall be used for the following service
activities: Printing services; purchasing storeroom; university motor pool; physical plant
storeroom; photo services; telecommunications services; facilities operations
discretionary repairs; animal care; instructional services; and such other internal service
activities as are authorized by the state board of regents under K.S.A. 76-755, and
amendments thereto.

Educational nurse faculty loan program
fund (683-00-7505-7540).....No limit

Federal college work study
fund (683-00-3256-3520).....No limit

AMA education and research grant
fund (683-00-7207-7500).....No limit

Federal health professions/primary care student
loan fund (683-00-7516-7560).....No limit

Federal nursing student loan
fund (683-00-7517-7570).....No limit

Suspense fund (683-00-9057-9500).....No limit

Federal student educational opportunity grant fund (683-00-3255-3510).....No limit

Federal Pell grant fund (683-00-3252-3500).....No limit

Federal Perkins student loan fund (683-00-7515-7550).....No limit

Medical loan repayment fund (683-00-7214).....No limit

Provided, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund (683-00-2625-2650).....No limit

Graduate medical education administration reserve fund (683-00-5652-5640).....No limit

University of Kansas medical center private practice foundation reserve fund (683-00-5659-5660).....No limit

Robert Wood Johnson award fund (683-00-7328-7530).....No limit

Federal scholarship for disadvantaged students fund (683-00-3094-3100).....No limit

Temporary deposit fund (683-00-9058-9510).....No limit

Mandatory retirement annuity clearing fund (683-00-9143-9520).....No limit

Voluntary tax shelter annuity clearing fund (683-00-9168-9530).....No limit

Agency payroll deduction clearing fund (683-00-9194-9600).....No limit

Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148-3140).....	No limit
Leveraging educational assistance partnership federal fund (683-00-3223-3200).....	No limit
Graduate medical education support fund (683-00-5653-5650).....	No limit
Johnson county education research triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan repayment fund.....	No limit
Rural health bridging psychiatry fund.....	No limit

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal Perkins student loan fund (683-00-7515-7550); federal nursing student loan fund (683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2019, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

(e) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the rural health bridging psychiatry fund.

Sec. 133.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$60,668,439
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Aviation research (715-00-1000-0015).....\$4,809,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2018 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*; That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2018.

Technology transfer facility (715-00-1000-0005).....\$1,924,000

Aviation infrastructure (715-00-1000-0010).....\$3,367,000

Provided, That during the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2018 by Wichita state university by this or other appropriation act of the 2017 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2018 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education

(vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund (715-00-2477-2400).....No limit

Kansas career work study program fund (715-00-2536-2020).....No limit

Scholarship funds fund (715-00-7211-7000).....No limit

Sponsored research overhead fund (715-00-2908-2080).....No limit

Economic opportunity act – federal fund (715-00-3265-3100).....No limit

Educational opportunity grant –

federal fund (715-00-3266-3110).....No limit

Matching education opportunity grant fund (715-00-2480-2480).....No limit

Health professions
student assistance program –
loans fund (715-00-7520-7020).....No limit

Nine month payroll clearing account
fund (715-00-7717-7030).....No limit

Pell grants federal fund (715-00-3366-3120).....No limit

Housing system suspense
fund (715-00-5705-5160).....No limit

Housing system renovation K DFA
fund (715-00-5006).....No limit

WSU housing system
depreciation and replacement
fund (715-00-5800-5260).....No limit

National direct student loan
fund (715-00-7519-7010).....No limit

WSU housing systems revenue
fund (715-00-5100-5250).....No limit

University federal
fund (715-00-3149-3140).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance
partnership (715-00-3119-3190).....No limit

Center of innovation for
biomaterials in orthopaedic
research – Wichita state university

fund (715-00-2750-2700).....	No limit
Kan-grow engineering fund – WSU (715-00-2155-2155).....	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500).....	No limit
Suspense fund (715-00-9077).....	No limit
Mandatory retirement annuity clearing fund (715-00-9144-9520).....	No limit
Voluntary tax shelter annuity clearing fund (715-00-9169-9530).....	No limit
Agency payroll deduction clearing fund (715-00-9198-9400).....	No limit
Pre-tax parking clearing fund (715-00-9226-9200).....	No limit
University payroll fund (715-00-9808).....	No limit

(c) On July 1, 2017, the pell grants fund (715-00-3366-3120) is hereby redesignated as the pell grants federal fund (715-00-3366-3120).

(d) On July 1, 2017, the housing system renovation principal and interest fund (715-00-5006) is hereby redesignated as the housing system renovation K DFA fund (715-00-5006).

(e) On July 1, 2017, the Perkins loan fund (715-00-7519-7010) is hereby redesignated as the national direct student loan fund (715-00-7519-7010).

Sec. 134.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$61,396,912
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Aviation research (715-00-1000-0015).....\$4,850,000

Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2019 shall be matched by Wichita state university on a \$1 for \$1 basis from other moneys of Wichita state university: *And provided further*; That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2019.

Technology transfer facility (715-00-1000-0005).....\$1,940,000

Provided, That any unencumbered balance in the technology transfer facility account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Aviation infrastructure (715-00-1000-0010).....\$3,396,000

Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That during the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2019 by Wichita state university by this or other appropriation act of the 2017 or 2018 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2019 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital

improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however;* That the state board of regents, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further;* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further;* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further;* That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further;* That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

Provided, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction matching fund (715-00-2477-2400).....No limit

Kansas career work study program fund (715-00-2536-2020).....No limit

Scholarship funds fund (715-00-7211-7000).....No limit

Sponsored research overhead fund (715-00-2908-2080).....No limit

Economic opportunity act – federal fund (715-00-3265-3100).....No limit

Educational opportunity grant –

federal fund (715-00-3266-3110).....No limit

Matching education opportunity grant
fund (715-00-2480-2480).....No limit

Health professions
student assistance program –
loans fund (715-00-7520-7020).....No limit

Nine month payroll clearing account
fund (715-00-7717-7030).....No limit

Pell grants federal fund (715-00-3366-3120).....No limit

Housing system suspense
fund (715-00-5705-5160).....No limit

Housing system renovation KDFAs
fund (715-00-5006).....No limit

Housing system renovation and bond
reserve fund (715-00-5006-5221).....No limit

WSU housing system depreciation and
replacement fund (715-00-5800-5260).....No limit

National direct student loan
fund (715-00-7519-7010).....No limit

WSU housing systems revenue
fund (715-00-5100-5250).....No limit

University federal fund (715-00-3149-3140).....No limit

Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Leveraging educational assistance
partnership (715-00-3119-3190).....No limit

Center of innovation for biomaterials
 in orthopaedic research –
 Wichita state university
 fund (715-00-2750-2700).....No limit

Kan-grow engineering fund –
 WSU (715-00-2155-2155).....No limit

Aviation research fund (715-00-2052-2052).....No limit

Temporary deposit fund (715-00-9059-9500).....No limit

Suspense fund (715-00-9077).....No limit

Mandatory retirement annuity
 clearing fund (715-00-9144-9520).....No limit

Voluntary tax shelter annuity
 clearing fund (715-00-9169-9530).....No limit

Agency payroll deduction
 clearing fund (715-00-9198-9400).....No limit

Pre-tax parking clearing
 fund (715-00-9226-9200).....No limit

University payroll fund (715-00-9808).....No limit

Sec. 135.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (including official
 hospitality) (561-00-1000-0103).....\$4,206,864

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That, during fiscal year 2018, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2018 by the state board of regents as authorized by this or other appropriation act of the 2017 regular session of the legislature, the state

board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2018 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2018, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2018 by the state board of regents as authorized by this or other appropriation act of the 2017 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2018 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission (561-00-1000-0250).....	\$91,200
State scholarship program (561-00-1000-4300).....	\$950,254

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....	\$15,758,338
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Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Ethnic minority scholarship

program (561-00-1000-2410).....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas work-study
program (561-00-1000-2000).....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*, That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$165,335

Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Military service scholarships (561-00-1000-1310).....\$460,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2016 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$1,717,124

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

National guard educational
assistance (561-00-1000-1300).....\$870,869

Provided, That any unencumbered balance in the national guard educational

assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Career technical workforce grant (561-00-1000-2200).....\$114,075

Provided, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Nursing student scholarship program (561-00-1000-4100).....\$217,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Optometry education program (561-00-1000-1100).....\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Municipal university operating grant (561-00-1000-1010).....\$11,424,883

Adult basic education (561-00-1000-0900).....\$1,398,750

Postsecondary tiered technical education state aid (561-00-1000-0760)..... \$55,968,922

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2018, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2017, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2018 and the amount of moneys appropriated for the above agency for the fiscal year 2017 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2016 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2018 that is less than the amount such eligible institution received from such

account in fiscal year 2017, unless the amount of moneys appropriated for the above agency for fiscal year 2017 in the postsecondary tiered technical education state aid account for fiscal year 2018 is less than the amount of moneys appropriated for the above agency for fiscal year 2017 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2018 is less than the amount of moneys appropriated for the above agency for fiscal year 2017 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant (561-00-1000-0550)..... \$73,436,476

Technology equipment at community colleges and Washburn university (561-00-1000-0500).....\$382,536

Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid (561-00-1000-0310).....\$68,722

Tuition waivers (561-00-1000-1650).....\$64,657

Nurse educator grant program (561-00-1000-4120).....\$118,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program (561-00-1000-4130).....\$1,715,705

Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing

programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*; That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Postsecondary technical education authority (561-00-1000-0750).....\$19,059

Tuition for technical education (561-00-1000-0120).....\$20,750,000

Provided, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2018, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2018 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*; That, such expenditures shall be in an amount not less than \$500,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship repayment fund (561-00-7216-6300).....No limit

KAN-ED services fee fund (561-00-2814-2814).....No limit

Earned indirect costs fund – federal (561-00-3642-3600).....No limit

Faculty of distinction program fund (561-00-7200-7050).....No limit

Paul Douglas teacher scholarship fund – federal (561-00-3879-3950).....No limit

GED credentials processing fees fund (561-00-2151-2100).....No limit

Tuition waiver gifts, grants and reimbursements fund (561-00-7230-7230).....No limit

Adult basic education – federal fund (561-00-3042-3000).....	No limit
Truck driver training fund (561-00-2172-4900).....	No limit
Improving teacher quality grant federal fund (561-00-3526-3526).....	No limit
State scholarship discontinued attendance fund (561-00-7213-6100).....	No limit
Kansas ethnic minority fellowship program fund (561-00-7238-7600).....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund (561-00-2643-3300).....	No limit
Substance abuse education fund – federal (561-00-3805-4000).....	No limit
Nursing service scholarship program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360).....	No limit
Financial aid services fee fund (561-00-2280-2800).....	No limit

Provided, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover

all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund (561-00-2266).....	No limit
Optometry education repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational and technical education – federal fund (561-00-3539-3539).....	No limit
College access challenge grant program (561-00-3880-3955).....	No limit
Kansas national guard educational assistance program repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Workforce development loan fund (561-00-7518-7900).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state postsecondary educational institution fee fund (561-00-2614-2610).....	No limit
KanTRAIN federal fund (561-00-3578-3578).....	No limit
USAC E-rate program federal fund (561-00-3920-3920).....	No limit
WIA youth activities federal fund (561-00-3039).....	No limit

WIA adult set-aside federal fund (561-00-3270).....	No limit
WIA dislocated workers set-aside federal fund (561-00-3428).....	No limit
Temporary assistance for needy families federal fund (561-00-3323-3323).....	No limit
Workforce data quality initiative federal fund (561-00-3237-3237).....	No limit
Postsecondary education performance-based incentives fund (561-00-2777-2777).....	\$125,000
Private donations, gifts, grants bequest fund (561-00-7262-7700).....	No limit

(c) During the fiscal year ending June 30, 2018, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2018, to another item of appropriation in an account of the state general fund for fiscal year 2018. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for such state educational institution as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority

in accordance with that statute from time to time during fiscal year 2018: *Provided, however;* That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further;* That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further;* That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further;* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further;* That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further;* That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further;* That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2018 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

SEDIF – vocational education capital
 outlay aid (561-00-1900-1950).....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2018: *Provided further;* That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and
 internship program (561-00-1900-1960).....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2017, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2018.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Community and technical college competitive grants (561-00-1900-1980).....	\$500,000
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Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*, That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1 for \$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

Sec. 136.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$4,217,730
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Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That, during fiscal year 2019, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2019 by the state board of regents as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2019 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2019, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2019 by the state board of regents as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2019 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided*

further; That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education commission (561-00-1000-0250).....\$91,200

State scholarship program (561-00-1000-4300).....\$950,254

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 72-6816, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*; That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....\$15,758,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Ethnic minority scholarship program (561-00-1000-2410).....\$296,498

Provided, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Kansas work-study program (561-00-1000-2000).....\$496,813

Provided, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*; That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$165,335

Provided, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Military service scholarships (561-00-1000-1310).....\$460,314

Provided, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019; *Provided further;* That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 2016 Supp. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$1,147,023

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

National guard educational assistance (561-00-1000-1300).....\$870,869

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Career technical workforce grant (561-00-1000-2200).....\$114,075

Provided, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Nursing student scholarship program (561-00-1000-4100).....\$217,255

Provided, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Optometry education program (561-00-1000-1100).....\$107,089

Provided, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Municipal university operating grant (561-00-1000-1010).....	\$11,543,883
Adult basic education (561-00-1000-0900).....	\$1,398,750
Postsecondary tiered technical education state aid (561-00-1000-0760).....	\$56,183,922

Provided, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2019, in the postsecondary tiered technical education state aid account is greater than the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2018, in the postsecondary tiered technical education state aid account, then the difference between the amount of moneys appropriated for the fiscal year 2019 and the amount of moneys appropriated for the above agency for the fiscal year 2018 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 2016 Supp. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*, That no eligible institution shall receive an amount of money from the postsecondary tiered technical education state aid account in fiscal year 2019 that is less than the amount such eligible institution received from such account in fiscal year 2018, unless the amount of moneys appropriated for the above agency for fiscal year 2018 in the postsecondary tiered technical education state aid account for fiscal year 2019 is less than the amount of moneys appropriated for the above agency for fiscal year 2018 in the postsecondary tiered technical education state aid account: *And provided further*, That if the amount of moneys appropriated for the above agency for fiscal year 2019 is less than the amount of moneys appropriated for the above agency for fiscal year 2018 in the postsecondary tiered technical education state aid account, then each eligible institution shall receive an amount of moneys as determined by the state board of regents.

Non-tiered course credit hour grant (561-00-1000-0550).....	\$73,721,476
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Technology equipment at community colleges and Washburn university (561-00-1000-0500).....	\$382,536
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Provided, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Vocational education capital outlay aid (561-00-1000-0310).....	\$68,722
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Tuition waivers (561-00-1000-1650).....	\$64,657
Nurse educator grant program (561-00-1000-4120).....	\$118,126

Provided, That any unencumbered balance in the nurse educator grant program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies grant program (561-00-1000-4130).....	\$1,715,705
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Provided, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and consumable laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Postsecondary technical education authority (561-00-1000-0750).....	\$19,076
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Tuition for technical education (561-00-1000-0120).....	\$20,750,000
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Provided, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2019, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2019 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the Accelerating Opportunity program: *Provided further*, That, such expenditures shall be in an amount not less than \$500,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service

scholarship repayment
fund (561-00-7216-6300).....No limit

KAN-ED services fee
fund (561-00-2814-2814).....No limit

Earned indirect costs fund –
federal (561-00-3642-3600).....No limit

Faculty of distinction program
fund (561-00-7200-7050).....No limit

Paul Douglas teacher scholarship
fund – federal (561-00-3879-3950).....No limit

GED credentials processing
fees fund (561-00-2151-2100).....No limit

Tuition waiver gifts,
grants and reimbursements
fund (561-00-7230-7230).....No limit

Adult basic education –
federal fund (561-00-3042).....No limit

Truck driver training fund (561-00-2172-4900).....No limit

Improving teacher quality grant
federal fund (561-00-3526-3526).....No limit

State scholarship discontinued
attendance fund (561-00-7213-6100).....No limit

Kansas ethnic minority fellowship
program fund (561-00-7238-7600).....No limit

Private postsecondary
educational institution degree
authorization expense reimbursement
fee fund (561-00-2643-3300).....No limit

Substance abuse education fund –
federal (561-00-3805-4000).....No limit

Nursing service scholarship program fund (561-00-7220-6800).....No limit

Clearing fund (561-00-9029-9100).....No limit

Conversion of materials and equipment fund (561-00-2433-3200).....No limit

Motorcycle safety fund (561-00-2366-2360).....No limit

Financial aid services fee fund (561-00-2280-2800).....No limit

Provided, That expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund (561-00-2266).....No limit

Optometry education repayment fund (561-00-7203-7100).....No limit

Teacher scholarship repayment fund (561-00-7205-7200).....No limit

Nursing service scholarship repayment fund (561-00-7210-7400).....No limit

Nurse educator service scholarship repayment fund (561-00-7231-7300).....No limit

ROTC service scholarship repayment fund (561-00-7232-7232).....No limit

Carl D. Perkins vocational

and technical education – federal fund (561-00-3539-3539).....	No limit
College access challenge grant program (561-00-3880-3955).....	No limit
Kansas national guard educational assistance program repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Workforce development loan fund (561-00-7518-7900).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state postsecondary educational institution fee fund (561-00-2614-2610).....	No limit
KanTRAIN federal fund (561-00-3578-3578).....	No limit
USAC E-rate program federal fund (561-00-3920-3920).....	No limit
WIA youth activities federal fund (561-00-3039).....	No limit
WIA adult set-aside federal fund (561-00-3270).....	No limit
WIA dislocated workers set-aside federal fund (561-00-3428).....	No limit
Temporary assistance for needy families federal fund (561-00-3323-3323).....	No limit
Workforce data quality initiative (561-00-3237-3237).....	No limit
Postsecondary education performance-	

based incentives fund (561-00-2777-2777).....	\$125,000
Private donations, gifts, grants bequest fund (561-00-7262-7700).....	No limit

(c) During the fiscal year ending June 30, 2019, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2019, to another item of appropriation in an account of the state general fund for fiscal year 2019. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents.

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for such state educational institution as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority in accordance with that statute from time to time during fiscal year 2019: *Provided, however*, That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further*, That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further*, That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be

deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further*; That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further*; That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2019 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:

SEDIF – vocational education capital
outlay aid (561-00-1900-1950).....\$2,547,726

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the SEDIF – vocational education capital outlay aid account is hereby reappropriated for fiscal year 2019: *Provided further*; That expenditures from the SEDIF – vocational education capital outlay aid account for each grant of vocational education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology
innovation and internship
program (561-00-1900-1960).....\$179,284

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2018, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2019.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Community and technical
college competitive
grants (561-00-1900-1980).....\$500,000

Provided, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1

for \$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

Sec. 137.

DEPARTMENT OF CORRECTIONS

(a) On the effective date of this act, of the \$12,754,000 appropriated for the above agency for the fiscal year ending June 30, 2017, by section 29(a) of 2017 Senate Substitute for Substitute for House Bill No. 2052 from the state general fund in the purchase of services account (521-00-1000-0300), the sum of \$96,922 is hereby lapsed.

Sec. 138.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (521-00-1000-0603).....\$19,928,689

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures –
juvenile services (521-00-1000-0103).....\$1,183,745

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Evidence based juvenile
program (521-00-1000-0050).....\$8,000,000

Provided, That any unencumbered balance in the evidence based juvenile program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Community corrections (521-00-1000-0220).....\$20,246,526

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2018 which supplant any amount of local public or private funding of

existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510).....\$800,000

Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs – offender programs (521-00-1000-0151).....\$6,073,646

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Treatment and programs – medical and mental (521-00-1000-0152).....\$63,141,137

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Treatment and programs – KUMC contract (521-00-1000-0154).....\$1,818,595

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Purchase of services (521-00-1000-0300).....\$8,900,000

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Prevention and graduated sanctions community grants (521-00-1000-0221).....\$20,383,874

Provided, That any unencumbered balance in the prevention and graduated sanctions

community grants account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities
operations (660-00-1000-0303).....\$14,747,988

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility – facilities
operations (313-00-1000-0303).....\$30,613,491

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility – facilities.....\$40,318,289

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility – facilities
operations (177-00-1000-0303).....\$14,263,011

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility – facilities
operations (712-00-1000-0303).....\$12,866,521

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility – facilities operations (581-00-1000-0303).....\$15,384,795

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility – facilities operations (195-00-1000-0303).....\$28,076,860

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility – facilities operations (408-00-1000-0303).....\$10,551,408

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex – facilities operations (352-00-1000-0303).....\$22,879,342

Provided, That any unencumbered balance in the Kansas juvenile correctional complex facility operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated to the Kansas juvenile correctional complex – facilities operations account for fiscal year 2018: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account

for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,863,555

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....No limit

Justice reinvestment
technical assistance for
state governments project –
federal fund (521-00-3758-3758).....No limit

Residential substance abuse treatment –
federal fund (521-00-3006-3101).....No limit

Department of corrections
forensic psychologist
fund (521-00-2492-2492).....No limit

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial
justice assistance grants –
federal fund (521-00-3057).....No limit

Violence against women –
federal fund (521-00-3214).....No limit

Sex offender management grant –
federal fund (521-00-3206-3206).....No limit

Department of corrections state asset
forfeiture fund (521-00-2460-2400).....No limit

Prisoner reentry intv demo –
federal fund (521-00-3063).....No limit

Victims of crime act –
federal fund (521-00-3260).....No limit

Correctional industries
fund (522-00-6126-7300).....No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance –
federal fund (521-00-3213-3213).....No limit

Bulletproof vest partnership –
federal fund (521-00-3216-3216).....No limit

Safeguard community grants –
federal fund (521-00-3225).....No limit

Workforce investment act –
federal fund (521-00-3237-3237).....No limit

Workplace and community
transition training –
federal fund (521-00-3281-3281).....No limit

USMS reimbursement –
federal fund (521-00-3562-3562).....No limit

Community awareness project –
federal fund (521-00-3250-3250).....No limit

Corrections training and staff development –
federal fund (521-00-3413-3413).....No limit

Second chance act –
federal fund (521-00-3895-3895).....No limit

Alcohol and drug abuse
treatment fund (521-00-2339-2110).....No limit

Provided, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

Juvenile delinquency prevention trust fund (521-00-7322-7000).....No limit

State of Kansas – department of corrections inmate benefit fund (521-00-7950-5350).....No limit

Department of corrections – alien incarceration grant fund – federal (521-00-3943-3800).....No limit

Department of corrections – general fees fund (521-00-2427-2450).....No limit

Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Topeka correctional facility – community development block grant – federal fund (660-00-3581-3100).....No limit

Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200).....No limit

Topeka correctional facility – general fees fund (660-00-2090-2090).....No limit

Hutchinson correctional facility – general fees fund (313-00-2051-2000).....No limit

Lansing correctional facility – general
fees fund (400-00-2040-2040).....No limit

Ellsworth correctional facility – general
fees fund (177-00-2227-2000).....No limit

Winfield correctional facility – general
fees fund (712-00-2237-2000).....No limit

Norton correctional facility – general
fees fund (581-00-2238-2000).....No limit

El Dorado correctional facility – general
fees fund (195-00-2252-2000).....No limit

Larned correctional mental
health facility – general
fees fund (408-00-2145-2000).....No limit

Community corrections supervision
fund (521-00-2748-2748).....No limit

Community corrections special
revenue fund (521-00-2447-2447).....No limit

Medical assistance program –
federal fund (521-00-3414).....No limit

Title IV-E fund (521-00-3337).....No limit

Juvenile accountability
incentive block grant –
federal fund (521-00-3002).....No limit

Juvenile justice
delinquency prevention –
federal fund (521-00-3351).....No limit

Juvenile justice fee fund –
central office (521-00-2257).....No limit

Juvenile justice federal fund –
Kansas juvenile correctional

complex (352-00-3359-3100).....No limit

Byrne grant – federal fund –
Kansas juvenile correctional
complex (352-00-3057-3057).....No limit

Byrne grant – federal fund (521-00-3353-3200).....No limit

Title V – delinquency prevention program –
federal fund (521-00-3208).....No limit

Title I program for neglected
and delinquent children –
federal fund (521-00-3009).....No limit

Improving teacher quality state grants –
federal fund (521-00-3526-3526).....No limit

Kansas juvenile correctional complex –
juvenile accountability block grant –
federal fund (352-00-3002-3540).....No limit

National school lunch
program – federal fund –
Kansas juvenile correctional
complex (352-00-3530-3530).....No limit

Kansas juvenile correctional complex
fee fund (352-00-2321-2300).....No limit

Kansas juvenile correctional
complex – Title I neglected
and delinquent children –
federal fund (352-00-3009-3009).....No limit

National school breakfast program –
federal fund – Kansas juvenile
correctional complex (352-00-3529-3529).....No limit

Kansas juvenile correctional
complex – gifts, grants, and
donations fund (352-00-7016-7000).....No limit

Dev/test/demo new prgs – Kansas
 juvenile correctional complex –
 federal fund (352-00-3207-3207).....No limit

Kansas juvenile correctional complex –
 improvement fund (352-00-2481-2400).....No limit

Comprehensive approach to sex offender
 management discretionary grant –
 Kansas juvenile correctional complex –
 federal fund (352-00-3206-3206).....No limit

Kansas juvenile justice improvement
 fund (521-00-2205-2205).....No limit

Juvenile alternatives to
 detention fund (521-00-2250).....No limit

Provided, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however*, That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$2,258,988.

(c) During the fiscal year ending June 30, 2018, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2018, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2018 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2018 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the

director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2018 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2017, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2017.

(f) During the fiscal year ending June 30, 2018, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2018, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On October 1, 2017, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile alternatives to detention fund (521-00-2250) for fiscal year 2018, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2018 for purchase of services.

(j) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2018, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 2016 Supp. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence based juvenile program account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2018, for the secretary of corrections, in consultation with the director of the budget, to certify the amount of moneys saved in efficiencies created by the lease-purchase agreement or issuance of bonds for a new correctional institution in

Lansing, Kansas, pursuant to section 213(e): *Provided*, That upon certification of the amount of any such savings, the secretary of the department of corrections shall use such moneys to provide a salary increase for correctional officers employed by the above agency: *Provided further*, That the secretary of the department of corrections shall certify such salary increases to the director of the budget and shall transmit a copy of each such certification to the director of legislative research.

Sec. 139.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (521-00-1000-0603).....\$20,091,281

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Operating expenditures –
juvenile services (521-00-1000-0103).....\$1,196,326

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Evidence based juvenile
program (521-00-1000-0050).....\$8,000,000

Provided, That any unencumbered balance in the evidence based juvenile program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Community corrections (521-00-1000-0220).....\$20,246,526

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2019 which supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510).....\$800,000

Provided, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs – offender programs (521-00-1000-0151).....\$6,125,013

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Treatment and programs – medical and mental (521-00-1000-0152).....\$67,635,774

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Treatment and programs – KUMC contract (521-00-1000-0154).....\$1,854,967

Provided, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Purchase of services (521-00-1000-0300).....\$8,900,000

Provided, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Prevention and graduated sanctions community grants (521-00-1000-0221).....\$20,383,874

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That money awarded as grants from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Topeka correctional facility – facilities
 operations (660-00-1000-0303).....\$14,862,996

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional
 facility – facilities
 operations (313-00-1000-0303).....\$30,830,706

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional
 facility – facilities
 operations (400-00-1000-0303).....\$40,619,942

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional
 facility – facilities
 operations (177-00-1000-0303).....\$14,364,594

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional
 facility – facilities
 operations (712-00-1000-0303).....\$12,951,148

Provided, That any unencumbered balance in the Winfield correctional facility –

facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional
 facility – facilities
 operations (581-00-1000-0303).....\$15,506,315

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional
 facility – facilities
 operations (195-00-1000-0303).....\$28,285,268

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental
 health facility – facilities
 operations (408-00-1000-0303).....\$10,632,326

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional
 complex – facilities
 operations (352-00-1000-0303).....\$23,035,496

Provided, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further;* That expenditures may be made

from this account for educational services contracts which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,863,555

Provided, That any unencumbered balance in the facilities operations account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....No limit

Justice reinvestment
technical assistance for
state governments project –
federal fund (521-00-3758-3758).....No limit

Residential substance abuse treatment –
federal fund (521-00-3006-3101).....No limit

Department of corrections
forensic psychologist
fund (521-00-2492-2492).....No limit

Provided, That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.

Ed Byrne memorial
justice assistance grants –
federal fund (521-00-3057).....No limit

Violence against women –
federal fund (521-00-3214).....No limit

Sex offender management grant –
federal fund (521-00-3206-3206).....No limit

Department of corrections state asset
forfeiture fund (521-00-2460-2400).....No limit

Prisoner reentry intv demo –
 federal fund (521-00-3063).....No limit

Victims of crime act –
 federal fund (521-00-3260).....No limit

Correctional industries
 fund (522-00-6126-7300).....No limit

Provided, That expenditures may be made from the correctional industries fund for official hospitality.

Ed Byrne state and local law assistance –
 federal fund (521-00-3213-3213).....No limit

Bulletproof vest partnership –
 federal fund (521-00-3216-3216).....No limit

Safeguard community grants –
 federal fund (521-00-3225).....No limit

Workforce investment act –
 federal fund (521-00-3237-3237).....No limit

Workplace and community
 transition training –
 federal fund (521-00-3281-3281).....No limit

USMS reimbursement –
 federal fund (521-00-3562-3562).....No limit

Community awareness project –
 federal fund (521-00-3250-3250).....No limit

Corrections training and
 staff development –
 federal fund (521-00-3413-3413).....No limit

Second chance act –
 federal fund (521-00-3895-3895).....No limit

Alcohol and drug abuse
 treatment fund (521-00-2339-2110).....No limit

Provided, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

Juvenile delinquency prevention trust fund (521-00-7322-7000).....No limit

State of Kansas – department of corrections inmate benefit fund (521-00-7950-5350).....No limit

Department of corrections – alien incarceration grant fund – federal (521-00-3943-3800).....No limit

Department of corrections – general fees fund (521-00-2427-2450).....No limit

Provided, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*; That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

Topeka correctional facility – community development block grant – federal fund (660-00-3581-3100).....No limit

Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200).....No limit

Topeka correctional facility – general fees fund (660-00-2090-2090).....No limit

Hutchinson correctional facility – general fees fund (313-00-2051-2000).....No limit

Lansing correctional facility – general fees fund (400-00-2040-2040).....	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000).....	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000).....	No limit
Norton correctional facility – general fees fund (581-00-2238-2000).....	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000).....	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000).....	No limit
Community corrections supervision fund (521-00-2748-2748).....	No limit
Community corrections special revenue fund (521-00-2447-2447).....	No limit
Medical assistance program – federal fund (521-00-3414).....	No limit
Title IV-E fund (521-00-3337).....	No limit
Juvenile accountability incentive block grant – federal fund (521-00-3002).....	No limit
Juvenile justice delinquency prevention – federal fund (521-00-3351).....	No limit
Juvenile justice fee fund – central office (521-00-2257).....	No limit
Juvenile justice federal fund – Kansas juvenile correctional complex (352-00-3359-3100).....	No limit

Byrne grant – federal fund –
Kansas juvenile correctional
complex (352-00-3057-3057).....No limit

Byrne grant –
federal fund (521-00-3353-3200).....No limit

Title V – delinquency prevention program –
federal fund (521-00-3208).....No limit

Title I program for neglected
and delinquent children –
federal fund (521-00-3009).....No limit

Improving teacher quality state grants –
federal fund (521-00-3526-3526).....No limit

Kansas juvenile correctional complex –
juvenile accountability block grant –
federal fund (352-00-3002-3540).....No limit

National school lunch
program – federal fund –
Kansas juvenile correctional
complex (352-00-3530-3530).....No limit

Kansas juvenile correctional complex
fee fund (352-00-2321-2300).....No limit

Kansas juvenile correctional
complex – Title I neglected
and delinquent children –
federal fund (352-00-3009-3009).....No limit

National school breakfast
program – federal fund –
Kansas juvenile correctional
complex (352-00-3529-3529).....No limit

Kansas juvenile
correctional complex –
gifts, grants, and donations
fund (352-00-7016-7000).....No limit

Dev/test/demo new prgs – Kansas
 juvenile correctional complex –
 federal fund (352-00-3207-3207).....No limit

Kansas juvenile correctional
 complex – improvement
 fund (352-00-2481-2400).....No limit

Comprehensive approach to
 sex offender management
 discretionary grant – Kansas
 juvenile correctional complex –
 federal fund (352-00-3206-3206).....No limit

Kansas juvenile justice improvement
 fund (521-00-2205-2205).....No limit

Juvenile alternatives to
 detention fund (521-00-2250).....No limit

Provided, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers: *Provided, however*; That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$2,258,988.

(c) During the fiscal year ending June 30, 2019, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2019, from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections to another item of appropriation for fiscal year 2019 from the state general fund for the department of corrections or any correctional institution, correctional facility or juvenile facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2019 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2019 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2018, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2018.

(f) During the fiscal year ending June 30, 2019, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2019, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) On October 1, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(i) In addition to the other purposes for which expenditures may be made by the department of corrections from the juvenile alternatives to detention fund (521-00-2250) for fiscal year 2019, notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2019 for purchase of services.

(j) Notwithstanding the provisions of K.S.A. 2016 Supp. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2019, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 2016 Supp. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence based juvenile program account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

Sec. 140.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (034-00-1000-0053).....\$5,148,993

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management team (034-00-1000-0105).....\$15,554

Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Civil air patrol – operating expenditures (034-00-1000-0103).....\$40,683

Disaster relief (034-00-1000-0200).....\$1,315,138

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Military activation payments (034-00-1000-0300).....\$6,000

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2016 Supp. 75-3228, and amendments thereto.

Kansas military emergency relief (034-00-1000-0400).....\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the Kansas military emergency relief account.

Calibrators decommission and replacement (034-00-1000).....\$315,518

Environmental clean-up projects (034-00-1000).....\$213,893

Any unencumbered balance in excess of \$100 as of June 30, 2017, in each of the following accounts is hereby reappropriated for fiscal year 2018: Force protection.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit

General fees fund (034-00-2102).....No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund (034-00-2496-2496).....No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and
equipment fund – military
division (034-00-2400-2030).....No limit

Adjutant general expense
fund (034-00-2357).....No limit

State asset forfeiture
fund (034-00-2498-2498).....No limit

State emergency fund (034-00-2437).....No limit

State emergency fund
weather disasters
5/4/2007 (034-00-2441).....No limit

State emergency fund
weather disasters 12/06,
7/07 (034-00-2445).....No limit

Disaster grants – public assistance
federal fund (034-00-3005).....No limit

National guard military
operations/maintenance
federal fund (034-00-3055-3300).....No limit

Econ adjustment/military
installation federal
fund (034-00-3196-3196).....No limit

Disaster assistance to
individual/household
federal fund (034-00-3405-3405).....No limit

Interoperability
communication equipment
fund (034-00-3449-3449).....No limit

Pre-disaster mitigation –
federal fund (034-00-3268-3269).....No limit

State homeland

security program
federal fund (034-00-3629-3629).....No limit

Nuclear safety
emergency management
fee fund (034-00-2081-2200).....No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2018 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund –
federal (034-00-2152).....No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general
fees fund (034-00-2171-2010).....No limit

Emergency systems
for advanced registration
for volunteer health professionals –
federal fund (034-00-3748-3748).....No limit

Civil air patrol – grants and contributions –
federal fund (034-00-7315-7000).....No limit

Emergency management performance grant –
federal fund (034-00-3342-3342).....No limit

NG – federal forfeiture
fund (034-00-2184-2100).....No limit

Inaugural expense
fund (034-00-2003-2300).....No limit

Kansas military emergency relief fund (034-00-2658-2650).....No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: Provided further, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: And provided further, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact federal fund (034-00-3609-3605).....No limit

Public safety interoperable communications grant program federal fund (034-00-3340-3340).....No limit

Military construction national guard federal fund (034-00-3192-3192).....No limit

National guard civilian youth opportunities federal fund (034-00-3193-3193).....No limit

Hazard mitigation grant federal fund (034-00-3019).....No limit

Citizen corps federal fund (034-00-3341-3341).....No limit

Law enforcement terrorism prevention program federal fund (034-00-3613-3600).....No limit

Safe and drug-free schools and

communities national programs
federal fund (034-00-3569-3569).....No limit

National guard museum
assistance fund (034-00-8306-8300).....No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional
training center fee
fund (034-00-2688-2688).....No limit

Provided, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program –
federal fund (034-00-3576-3576).....No limit

Military honors funeral fund (034-00-2789-2789).....No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2018 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –
federal fund (034-00-3320-3320).....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2018 made by this or other appropriation act of the 2017 regular session of the legislature.

(d) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the office of emergency communications fund (034-00-2496-2496) of the adjutant general.

(e) During the fiscal year ending June 30, 2018, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2018, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2018 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 141.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (034-00-1000-0053).....\$5,176,845

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,250.

Incident management

team (034-00-1000-0105).....\$15,554

Provided, That any unencumbered balance in the incident management team account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Civil air patrol – operating
expenditures (034-00-1000-0103).....\$40,922

Disaster relief (034-00-1000-0200).....\$762,465

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Military activation
payments (034-00-1000-0300).....\$6,000

Provided, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 2016 Supp. 75-3228, and amendments thereto.

Kansas military emergency
relief (034-00-1000-0400).....\$9,881

Provided, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2018, in each of the following accounts is hereby reappropriated for fiscal year 2019: Force protection, calibrators decommission and replacement, environmental clean-up projects.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit

General fees fund (034-00-2102)No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A.75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications fund (034-00-2496-2496)No limit

Provided, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division (034-00-2400-2030)No limit

Adjutant general expense fund (034-00-2357).....No limit

State asset forfeiture fund (034-00-2498-2498).....No limit

State emergency fund (034-00-2437).....	No limit
State emergency fund weather disasters 5/4/2007 (034-00-2441).....	No limit
State emergency fund weather disasters 12/06, 7/07 (034-00-2445).....	No limit
Disaster grants – public assistance federal fund (034-00-3005).....	No limit
National guard military operations/maintenance federal fund (034-00-3055-3300).....	No limit
Econ adjustment/military installation federal fund (034-00-3196-3196).....	No limit
Disaster assistance to individual/household federal fund (034-00-3405-3405).....	No limit
Interoperability communication equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation – federal fund (034-00-3268-3269).....	No limit
State homeland security program federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200).....	No limit

Provided, That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2019 pursuant to agreements which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal (034-00-2152).....No limit

Provided, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general fees fund (034-00-2171-2010).....No limit

Emergency systems for advanced registration for volunteer health professionals – federal fund (034-00-3748-3748).....No limit

Civil air patrol – grants and contributions – federal fund (034-00-7315-7000).....No limit

Emergency management performance grant – federal fund (034-00-3342-3342).....No limit

NG – federal forfeiture fund (034-00-2184-2100).....No limit

Inaugural expense fund (034-00-2003-2300).....No limit

Kansas military emergency relief fund (034-00-2658-2650).....No limit

Provided, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management
assistance compact
federal fund (034-00-3609-3605)No limit

Public safety interoperable
communications grant program
federal fund (034-00-3340-3340).....No limit

Military construction
national guard federal
fund (034-00-3192-3192).....No limit

National guard
civilian youth opportunities
federal fund (034-00-3193-3193).....No limit

Hazard mitigation grant
federal fund (034-00-3019).....No limit

Citizen corps
federal fund (034-00-3341-3341).....No limit

Law enforcement terrorism
prevention program
federal fund (034-00-3613-3600).....No limit

Safe and drug-free schools and
communities national programs
federal fund (034-00-3569-3569).....No limit

National guard museum
assistance fund (034-00-8306-8300).....No limit

Provided, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35th infantry division museum and education center facility.

Great plains joint regional training center
fee fund (034-00-2688-2688).....No limit

Provided, That expenditures may be made from the great plains joint regional

training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local
 implementation grant program –
 federal fund (034-00-3576-3576).....No limit

Military honors funeral
 fund (034-00-2789-2789).....No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2019 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant –
 federal fund (034-00-3320-3320).....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national

guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*; That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2019 made by this or other appropriation act of the 2017 or 2018 regular session of the legislature.

(d) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the office of emergency communications fund (034-00-2496-2496) of the adjutant general.

(e) During the fiscal year ending June 30, 2019, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2019 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 142.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee
fund (234-00-2330-2000).....\$5,073,229

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee
fund (234-00-2128-2128).....No limit

Gifts, grants and donations
fund (234-00-7405-7400).....No limit

Intragovernmental service
fund (234-00-6160-6000).....No limit

Explosives regulatory and
training fund (234-00-2361-2361).....No limit

State fire marshal
liquefied petroleum gas
fee fund (234-00-2608-2600).....No limit

Emergency response
fund (234-00-2589).....No limit

Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2018 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: Provided, however, That expenditures from the emergency response fund during fiscal year 2018 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter
protection act enforcement
fund (234-00-2694-2620).....No limit

Cigarette fire safety standard and
firefighter protection
act fund (234-00-2696-2630).....No limit

Non-fuel flammable or combustible
liquid aboveground storage tank
system fund (234-00-2626-2610).....No limit

Homeland security grant –
federal fund (234-00-3199).....No limit

FFY12 HMEP grant –
federal fund (234-00-3121-3121).....No limit

Contract inspections
fund (234-00-6122-6122).....No limit

(b) On July 1, 2017, and January 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the fire marshal fee fund (234-00-2330-2000) of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2018, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2018, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2018, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2018, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2018 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2018 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2018 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2018, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund and any other resources available to the fire marshal fee fund (234-00-2330-2000) during the fiscal year 2018, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2018 are insufficient to meet in full the estimated expenditures for fiscal year 2018 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2018: *Provided*, That the aggregate amount of such transfers during fiscal year 2018 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports

during fiscal year 2018, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 143.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000).....\$5,031,453

Provided, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128).....No limit

Gifts, grants and donations fund (234-00-7405-7400).....No limit

Intragovernmental service fund (234-00-6160-6000).....No limit

Explosives regulatory and training fund (234-00-2361-2361).....No limit

State fire marshal liquefied petroleum gas fee fund (234-00-2608-2600).....No limit

Emergency response fund (234-00-2589).....No limit

Provided, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2019 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: *Provided, however*, That expenditures from the emergency response fund during fiscal year 2019 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation

and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620).....No limit

Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....No limit

Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610).....No limit

Homeland security grant – federal fund (234-00-3199).....No limit

FFY12 HMEP grant – federal fund (234-00-3121-3121).....No limit

Contract inspections fund (234-00-6122-6122).....No limit

(b) On July 1, 2018, and January 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the fire marshal fee fund (234-00-2330-2000) of the state fire marshal to the state general fund.

(c) During the fiscal year ending June 30, 2019, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2019, shall not exceed \$500,000.

(d) During the fiscal year ending June 30, 2019, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2019, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2019 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2019 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and

reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2019 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(e) During the fiscal year ending June 30, 2019, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2019, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2019 are insufficient to meet in full the estimated expenditures for fiscal year 2019 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2019: *Provided*, That the aggregate amount of such transfers during fiscal year 2019 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2019, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 144.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200).....No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike fund (280-00-2514-2500).....No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle fund (280-00-2317-2800).....No limit

State forfeiture fund – pending.....No limit

Kansas highway patrol state forfeiture fund (280-00-2413-2100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2018, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance – federal fund (280-00-3005-3005).....No limit

Edward Byrne memorial assistance grant – state and local law enforcement – federal fund (280-00-3213-3213).....No limit

Bulletproof vest partner – federal fund (280-00-3216-3216).....No limit

Performance registration information system management – federal fund (280-00-3239-3239).....No limit

Commercial vehicle information system network – federal fund (280-00-3244-3244).....No limit

Highway planning and construction – federal fund (280-00-3333-3333).....No limit

KHP federal forfeiture – federal fund (280-00-3545).....No limit

Provided, That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –
federal fund (280-00-3615-3000).....No limit

Homeland security program –
federal fund (280-00-3629-3450).....No limit

Edward Byrne memorial
justice assistance grant –
federal fund (280-00-3057).....No limit

Emergency ops cntr –
federal fund (280-00-3808-3808).....No limit

State and community highway safety –
federal fund (280-00-3815-3815).....No limit

Gifts and donations fund (280-00-7331).....No limit

Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program
state fund (280-00-2208).....No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program –
federal fund (280-00-3073).....No limit

Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund –
on budget (280-00-2368-2360).....No limit

Highway safety fund (280-00-2217-2250).....No limit

Capitol area security fund (280-00-6143-6100).....No limit

Vehicle identification number fee fund (280-00-2213).....No limit

Motor vehicle fuel and storeroom sales fund (280-00-6155-6200).....No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: Provided further, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: And provided further, That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: And provided further, That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund (280-00-2034-1100).....\$51,993,271

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: Provided further, That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: And provided further, That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training center fund (280-00-2306).....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: Provided further, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: And provided further, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: And provided further, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state

treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120).....No limit

Provided, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund (280-00-7280).....No limit

Kansas highway patrol staffing and training fund (280-00-2211-2211).....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2017, and January 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol.

(d) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$12,998,317.75 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2018 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2018 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2017, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2017, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2017, and January 1, 2018, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund (280-00-2317-2800) of the Kansas highway patrol to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

Sec. 145.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200).....No limit

Provided, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law.

For patrol of Kansas turnpike
fund (280-00-2514-2500)No limit

Provided, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor vehicle
fund (280-00-2317-2800).....No limit

State forfeiture fund – pending.....No limit

Kansas highway
patrol state forfeiture
fund (280-00-2413-2100).....No limit

Provided, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2019, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance –
federal fund (280-00-3005-3005).....No limit

Edward Byrne memorial assistance grant –
state and local law enforcement –
federal fund (280-00-3213-3213).....No limit

Bulletproof vest partner –
federal fund (280-00-3216-3216).....No limit

Performance registration
information system management –
federal fund (280-00-3239-3239).....No limit

Commercial vehicle
information system network –
federal fund (280-00-3244-3244).....No limit

Highway planning and construction –
federal fund (280-00-3333-3333).....No limit

KHP federal forfeiture –
federal fund (280-00-3545).....No limit

Provided, That expenditures may be made from the KHP federal forfeiture – federal fund by the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –
federal fund (280-00-3615-3000).....No limit

Homeland security program –
federal fund (280-00-3629).....No limit

Edward Byrne memorial
justice assistance grant –
federal fund (280-00-3057).....No limit

Emergency ops cntr –
federal fund (280-00-3808-3808).....No limit

State and community highway safety –
federal fund (280-00-3815-3815).....No limit

Gifts and donations fund (280-00-7331).....No limit

Provided, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety
assistance program
state fund (280-00-2208).....No limit

Provided, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier
safety assistance program –
federal fund (280-00-3073).....No limit

Provided, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund –
on budget (280-00-2368-2360).....No limit

Highway safety fund (280-00-2217-2250).....No limit

Capitol area security
fund (280-00-6143-6100).....No limit

Vehicle identification number
fee fund (280-00-2213).....No limit

Motor vehicle fuel and storeroom

sales fund (280-00-6155-6200).....No limit

Provided, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*; That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol
operations fund (280-00-2034-1100).....\$52,353,840

Provided, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*; That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol training
center fund (280-00-2306).....No limit

Provided, That expenditures may be made from the highway patrol training center fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*; That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft
fund (280-00-6144-6120).....No limit

Provided, That expenditures may be made from the executive aircraft fund to provide

aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund (280-00-7280).....No limit

Kansas highway patrol staffing and training fund (280-00-2211-2211).....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2018, and January 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol.

(d) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$13,088,460.00 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2019 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2019 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2018, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2018, or as soon thereafter as moneys are available, notwithstanding

the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2018, and January 1, 2019, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund (280-00-2317-2800) of the Kansas highway patrol to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

Sec. 146.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (083-00-1000).....\$18,958,254

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated to the operating expenditures account for fiscal year 2018: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state
forfeiture fund (083-00-2283).....No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-2170).....No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area –
federal fund (083-00-3349-3100).....No limit

Federal grants –
marijuana eradication –
federal fund (083-00-3350).....No limit

eCitation national
priority safety program –
federal fund.....No limit

Ncs-x grant –
federal fund (083-00-3580-3580).....No limit

Criminal justice
information system
line fund (083-00-2457).....No limit

Provided, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700).....No limit

Kansas bureau of investigation motor
vehicle fund (083-00-2344-2050).....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*, That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials
 fee fund (083-00-2077).....No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140).....No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further;* That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check fee fund (083-00-2044-2010).....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however;* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further;* That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental service fund (083-00-6119-6100).....No limit

Agency motor pool fund (083-00-6117).....No limit

National criminal history improvement program federal fund (083-00-3189-3189).....No limit

Public safety partnership and community policing federal fund (083-00-3218-3218).....No limit

Forensic DNA backlog reduction federal fund (083-00-3226-3226).....No limit

Coverdell forensic sciences improvement federal fund (083-00-3227-3227).....No limit

Anti-gang initiative federal fund (083-00-3229-3229).....No limit

Homeland security federal fund (083-00-3199).....No limit

State homeland security program federal fund (083-00-3629-3629).....	No limit
Convicted/arrestee DNA backlog reduction federal fund (083-00-3489-3489).....	No limit
Disaster grants – public assistance federal fund (083-00-3005-3005).....	No limit
Ed Byrne memorial justice assistance federal fund (083-00-3057).....	No limit
Ed Byrne state/local law enforcement federal fund (083-00-3213-3213).....	No limit
Violence against women – ARRA federal fund (083-00-3214).....	No limit
AWA implementation grant program federal fund (083-00-3228-3228).....	No limit
Ed Byrne memorial JAG – ARRA federal fund (083-00-3455-3455).....	No limit
Convicted offender/arrestee DNA backlog reduction federal fund (083-00-3489-3489).....	No limit
KBI-FBI reimbursement federal fund (083-00-3506-3506).....	No limit
Project safe neighborhoods fund (083-00-3217-3217).....	No limit
Social security administration reimbursement – federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership – federal fund (083-00-3216-3211).....	No limit

Sexual assault kit grant – federal fund (083-00-3146-3146).....No limit

(c) During the fiscal year ending June 30, 2018, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2018 made by this act or other appropriation act of the 2017 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2018 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 147.

ATTORNEY GENERAL – KANSAS BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (083-00-1000).....\$19,841,173

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated to the operating expenditures account for fiscal year 2019: Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,000

Provided, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: Provided further; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state forfeiture fund (083-00-2283).....No limit

Provided, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating

expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-2170).....No limit

Provided, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area –
federal fund (083-00-3349-3100).....No limit

Federal grants –
marijuana eradication –
federal fund (083-00-3350).....No limit

eCitation national priority
safety program –
federal fund.....No limit

Ncs-x grant –
federal fund (083-00-3580-3580).....No limit

Criminal justice information
system line
fund (083-00-2457).....No limit

Provided, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700).....No limit

Kansas bureau of investigation
motor vehicle
fund (083-00-2344-2050).....No limit

Provided, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials
fee fund (083-00-2077).....No limit

Provided, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140).....No limit

Provided, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*; That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*; That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided*

further; That all moneys which are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and which are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures.

Record check
fee fund (083-00-2044-2010).....No limit

Provided, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities including government agencies and private organizations: *Provided, however*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further*; That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental
service fund (083-00-6119-6100).....No limit

Agency motor pool fund (083-00-6117).....No limit

National criminal history
improvement program
federal fund (083-00-3189-3189).....No limit

Public safety partnership
and community policing
federal fund (083-00-3218-3218).....No limit

Forensic DNA backlog
reduction federal
fund (083-00-3226-3226).....No limit

Coverdell forensic
sciences improvement

federal fund (083-00-3227-3227).....No limit

Anti-gang initiative
federal fund (083-00-3229-3229).....No limit

Homeland security
federal fund (083-00-3199).....No limit

State homeland security program
federal fund (083-00-3629-3629).....No limit

Convicted/arrestee
DNA backlog reduction
federal fund (083-00-3489-3489).....No limit

Disaster grants – public assistance
federal fund (083-00-3005-3005).....No limit

Ed Byrne memorial justice assistance
federal fund (083-00-3057).....No limit

Ed Byrne state/local law enforcement
federal fund (083-00-3213-3213).....No limit

Violence against women – ARRA
federal fund (083-00-3214).....No limit

AWA implementation grant program
federal fund (083-00-3228-3228).....No limit

Ed Byrne memorial JAG – ARRA
federal fund (083-00-3455-3455).....No limit

Convicted offender/arrestee
DNA backlog reduction
federal fund (083-00-3489-3489).....No limit

KBI-FBI reimbursement
federal fund (083-00-3506-3506).....No limit

Project safe neighborhoods
fund (083-00-3217-3217).....No limit

Social security
 administration reimbursement –
 federal fund (083-00-3560-3560).....No limit

Bulletproof vest partnership –
 federal fund (083-00-3216-3211).....No limit

Sexual assault kit grant –
 federal fund (083-00-3146-3146).....No limit

(c) During the fiscal year ending June 30, 2019, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2019 made by this act or other appropriation act of the 2017 or 2018 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2019 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 148.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options
 grant fund (206-00-2329-2500).....No limit

Emergency medical services
 operating fund (206-00-2326-4000).....\$1,500,571

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*; That such fees may be fixed in order to recover all or part of such costs: *And provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*; That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the

emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*; That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant
payment fund (206-00-2396-2510).....No limit

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving
fund (206-00-2449-2400).....No limit

Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*; That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*; That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2018.

National bioterrorism
hospital preparedness –
federal fund (206-00-3398-3398).....No limit

Highway safety –
federal fund (206-00-3815).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2018 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*; That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for

attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2018, as authorized by this or any other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2018 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2017, and January 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2018, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2018, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2018 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2018 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2018 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2018, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and

accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2018.

(g) On July 1, 2017, and January 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$125,000 from the emergency medical services operating fund (206-00-2326-4000) of the emergency medical services board to the state general fund.

Sec. 149.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural health options
grant fund (206-00-2329-2500).....No limit

Emergency medical services
operating fund (206-00-2326-4000).....\$1,500,974

Provided, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*, That, notwithstanding the provisions of K.S.A. 65-6128 or 65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*, That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant
payment fund (206-00-2396-2510).....No limit

Provided, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400).....No limit

Provided, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*, That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*, That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2019.

National bioterrorism
hospital preparedness –
federal fund (206-00-3398-3398).....No limit

Highway safety –
federal fund (206-00-3815).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2019 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants, instructor-coordinators and training officers: *Provided further*, That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants, instructor-coordinators and training officers: *And provided further*, That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants, instructor-coordinators and training officers who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2019, as authorized by this or any other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2019 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the

emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2018, and January 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2019, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2019, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2019 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2019 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2019 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2019, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2019.

(g) On July 1, 2018, and January 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$125,000 from the emergency medical services operating fund (206-00-2326-4000) of the emergency medical services board to the state general fund.

Sec. 150.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (626-00-1000-0303).....\$832,201

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs (626-00-1000-0600).....\$6,571,812

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That, notwithstanding the provisions of K.S.A. 2016 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2018, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201-2000).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Sec. 151.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (626-00-1000-0303).....\$887,945

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs (626-00-1000-0600).....\$6,522,804

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That, notwithstanding the provisions of K.S.A. 2016 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for

which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2019, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201-2000).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Sec. 152.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund (529-00-2583-2580).....\$596,876

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund (529-00-2746-2700).....No limit

Sec. 153.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training

fund (529-00-2583-2580).....\$627,018

Provided, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement
training reimbursement
fund (529-00-2746-2700).....No limit

Sec. 154.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (046-00-1000-0053).....\$9,118,769

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated to the operating expenditures account for fiscal year 2018: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund (046-00-2105-1015).....No limit

Meat and poultry inspection
fee fund (046-00-2004-0700).....No limit

Plant protection
fee fund (046-00-2006-0900).....No limit

Laboratory equipment
fund (046-00-2710-2700).....No limit

Water structures – state highway
fund (046-00-2043-1080).....No limit

Soil amendment fee
fund (046-00-2117-1100).....No limit

Agricultural liming materials

fee fund (046-00-2118-1200).....No limit

Weights and measures
fee fund (046-00-2165-1500).....No limit

Water appropriation certification
fund (046-00-2168-1600).....No limit

Water resources cost
fund (046-00-2110-1020).....No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2016 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed fee
fund (046-00-2187-2720).....No limit

Chemigation fee
fund (046-00-2194-1800).....No limit

Agriculture statistics
fund (046-00-2248-2710).....No limit

Petroleum inspection fee
fund (046-00-2550-2550).....No limit

Kansas agricultural remediation
fund (046-00-2095-1090).....No limit

Warehouse fee fund (046-00-2809-4700).....No limit

U.S. geological survey
cooperative gauge agreement
grants fund (046-00-2629-2800).....No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical
fee fund (046-00-2800-2900).....No limit

Feeding stuffs
fee fund (046-00-2801-4000).....No limit

Fertilizer fee fund (046-00-2802-4100).....No limit

Plant pest emergency
response fund (046-00-2210-1805).....No limit

Pesticide use
fee fund (046-00-2804-4300).....No limit

Egg fee fund (046-00-2808-4600).....No limit

Water structures fund (046-00-2037-1075).....No limit

Meat and poultry inspection fund –
federal (046-00-3013-3100).....No limit

EPA pesticide performance partnership grant –
federal fund (046-00-3295-3290).....No limit

FEMA dam safety –
federal fund (046-00-3362-3350).....No limit

FEMA – hazard mitigation map
federal fund (046-00-3019-3420).....No limit

State trade and export promotion – federal
fund (046-00-3573-3576).....No limit

FDA tissue residue –
federal fund (046-00-3894-5500).....No limit

USDA quality samples –

federal fund (046-00-3711-3711).....No limit

Conversion of materials and
equipment fund (046-00-2402-2200).....No limit

Trademark fund (046-00-2333-2360).....No limit

Water structures USGS
LIDAR grant (046-00-3080-3080).....No limit

Water structures NRCS
LIDAR grant (046-00-3081-3081).....No limit

Farm to school grant (046-00-3584-3584).....No limit

Specialty crop block
grant fund (046-00-3463-3300).....No limit

USGS water use grant (046-00-3594-3610).....No limit

Compensatory mitigation
fund (046-00-2817-2817).....No limit

Market development
fund (046-00-2331-2351).....No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery
fund (046-00-2773-2294).....No limit

Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration
and disbursement

fund (046-00-2772-2101).....No limit

Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation
incentive fund (046-00-2517-2510).....No limit

Land reclamation
fee fund (046-00-2542-2090).....No limit

Livestock brand
fee fund (046-00-2011-2030).....No limit

Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection
fee fund (046-00-2007-2010).....No limit

Veterinary inspection
fee fund (046-00-2009-2020).....No limit

Animal dealers fee
fund (046-00-2207-2050).....No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300; *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets; *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2018 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2018.

Animal disease control
fund (046-00-2202-2500).....No limit

Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Health and human

services retail food audit –
federal fund (046-00-3429-3410).....No limit

Publications fee fund (046-00-2322-2000).....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant –
federal fund (046-00-3199-3430).....No limit

USDA national
agricultural statistics services –
federal fund (046-00-3427-3390).....No limit

Medicated feed and
FDA BSE inspection –
federal fund (046-00-3444-3321).....No limit

National floodplain
insurance assistance (CAP) –
federal fund (046-00-3445-3330).....No limit

Cooperating technical partners –
federal fund (046-00-3203-3210).....No limit

Plant and animal disease & pest control –
federal fund (046-00-3360-3305).....No limit

Market protection/promotion

fund (046-00-3104-3310).....No limit

USDA Kansas forestry service –
federal fund (046-00-3426-3380).....No limit

Food safety fee
fund (046-00-2813-4805).....No limit

Gifts and donations
fund (046-00-7305-7000).....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund (046-00-2346-2100).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*; That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fees fund: *And provided further*; That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund (046-00-2456-2400).....No limit

Watershed protect
approach/WTR RSRCE
MGT fund (046-00-3889-3705).....No limit

NRCS contribution
agreement farm bill –
federal fund (046-00-3917-3800).....No limit

Livestock market reporting
fund (046-00-2756-2756).....No limit

Compliance education
fee fund (046-00-2757-2757).....No limit

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*; That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2018, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*; That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services
fee fund (046-00-2752-2752).....No limit

Provided, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*; That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided further*; That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging
fund (046-00-2751-2751).....No limit

Animal feed regulation program
standards (046-00-3462-3376).....No limit

Biofuel infrastructure
program (046-00-3579-3579).....No limit

Rural business development
grant (046-00-3589-3589).....No limit

Agricultural marketing services
grant (046-00-3590-3590).....No limit

AMS farmers market promotion
program (046-00-3588-3588).....No limit

EPA pesticide disposal
fund (046-00-3103-3001).....No limit

Grain commodity

commission services
 fund (046-00-2018-1070).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2018, for the water plan project or projects specified, the following:

Water resources
 cost share (046-00-1800-1205).....\$1,727,387

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2018 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures of the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2018 for the water resources cost share account.

Nonpoint source pollution
 assistance (046-00-1800-1210).....\$1,502,909

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Conservation district
 aid (046-00-1800-1220).....\$2,000,000

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Watershed dam
 construction (046-00-1800-1240).....\$511,076

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality buffer
 initiatives (046-00-1800-1250).....\$88,662

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*, That such expenditures may be made from this account from the approved budget amount for fiscal year 2018 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program (046-00-1800-1260).....\$135,343

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Basin management (046-00-1800-0080).....\$407,149

Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Water use (046-00-1800-0075).....\$64,368

Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Interstate water issues (046-00-1800-0070).....\$387,413

Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas conservation reserve enhancement program fund (046-00-1800-1225).....\$177,141

(d) During the fiscal year ending June 30, 2018, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2018 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2018 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and

reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2017, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

Agriculture marketing program (046-00-1900-1110).....\$1,049,303

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 155.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures (046-00-1000-0053)\$9,203,213

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated to the operating expenditures account for fiscal year 2019: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund (046-00-2105-1015).....No limit

Meat and poultry inspection fee fund (046-00-2004-0700).....No limit

Plant protection fee fund (046-00-2006-0900).....No limit

Laboratory equipment
fund (046-00-2710-2700).....No limit

Water structures – state highway
fund (046-00-2043-1080).....No limit

Soil amendment fee fund (046-00-2117-1100).....No limit

Agricultural liming materials
fee fund (046-00-2118-1200).....No limit

Weights and measures
fee fund (046-00-2165-1500).....No limit

Water appropriation certification
fund (046-00-2168-1600).....No limit

Water resources cost
fund (046-00-2110-1020).....No limit

Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 2016 Supp. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.

Agriculture seed
fee fund (046-00-2187-2720).....No limit

Chemigation fee fund (046-00-2194-1800).....No limit

Agriculture statistics
fund (046-00-2248-2710).....No limit

Petroleum inspection
fee fund (046-00-2550-2550).....No limit

Kansas agricultural remediation
fund (046-00-2095-1090).....No limit

Warehouse fee fund (046-00-2809-4700).....No limit

U.S. geological survey
 cooperative gauge agreement
 grants fund (046-00-2629-2800).....No limit

Provided, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*; That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*; That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical
 fee fund (046-00-2800-2900).....No limit

Feeding stuffs
 fee fund (046-00-2801-4000).....No limit

Fertilizer fee fund (046-00-2802-4100).....No limit

Plant pest emergency
 response fund (046-00-2210-1805).....No limit

Pesticide use fee fund (046-00-2804-4300).....No limit

Egg fee fund (046-00-2808-4600).....No limit

Water structures
 fund (046-00-2037-1075).....No limit

Meat and poultry inspection fund –
 federal (046-00-3013-3100).....No limit

EPA pesticide
 performance partnership grant –
 federal fund (046-00-3295-3290).....No limit

FEMA dam safety –
 federal fund (046-00-3362-3350).....No limit

FEMA – hazard mitigation map
 federal fund (046-00-3019-3420).....No limit

State trade and export promotion –
federal fund (046-00-3573-3576).....No limit

FDA tissue residue –
federal fund (046-00-3894-5500).....No limit

USDA quality samples –
federal fund (046-00-3711-3711).....No limit

Conversion of materials and
equipment fund (046-00-2402-2200).....No limit

Trademark fund (046-00-2333-2360).....No limit

Water structures USGS
LIDAR grant (046-00-3080-3080).....No limit

Water structures NRCS
LIDAR grant (046-00-3081-3081).....No limit

Farm to school grant (046-00-3584-3584).....No limit

Specialty crop block
grant fund (046-00-3463-3300).....No limit

USGS water use
grant (046-00-3594-3610).....No limit

Compensatory mitigation
fund (046-00-2817-2817).....No limit

Market development
fund (046-00-2331-2351).....No limit

Provided, That expenditures may be made from the market development fund for official hospitality: *Provided further*; That expenditures may be made from the market development fund for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*; That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund (046-00-2773-2294).....No limit

Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund (046-00-2772-2101).....No limit

Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund (046-00-2517-2510).....No limit

Land reclamation fee fund (046-00-2542-2090).....No limit

Livestock brand fee fund (046-00-2011-2030).....No limit

Provided, That expenditures from the livestock brand fee fund for official hospitality shall not exceed \$250.

Livestock market brand inspection fee fund (046-00-2007-2010).....No limit

Veterinary inspection fee fund (046-00-2009-2020).....No limit

Animal dealers fee fund (046-00-2207-2050).....No limit

Provided, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets: *And provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2019 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2019.

Animal disease control fund (046-00-2202-2500).....No limit

Provided, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450.

Health and human services retail food audit – federal fund (046-00-3429-3410).....No limit

Publications fee fund (046-00-2322-2000).....No limit

Provided, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*, That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant – federal fund (046-00-3199-3430).....No limit

USDA national agricultural statistics services – federal fund (046-00-3427-3390).....No limit

Medicated feed and FDA BSE inspection – federal fund (046-00-3444-3321).....No limit

National floodplain insurance assistance (CAP) – federal fund (046-00-3445-3330).....No limit

Cooperating technical partners –
federal fund (046-00-3203-3210).....No limit

Plant and animal disease & pest control –
federal fund (046-00-3360-3305).....No limit

Market protection/promotion
fund (046-00-3104-3310).....No limit

USDA Kansas forestry service – federal
fund (046-00-3426-3380).....No limit

Food safety fee fund (046-00-2813-4805).....No limit

Gifts and donations
fund (046-00-7305-7000).....No limit

Provided, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund (046-00-2346-2100).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund (046-00-2456-2400).....No limit

Watershed protect approach/
WTR RSRCE MGT
fund (046-00-3889-3705).....No limit

NRCS contribution agreement farm bill –
federal fund (046-00-3917-3800).....No limit

Livestock market reporting

fund (046-00-2756-2756).....No limit

Compliance education
fee fund (046-00-2757-2757).....No limit

Provided, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2019, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services
fee fund (046-00-2752-2752).....No limit

Provided, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture, which have available moneys, to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging
fund (046-00-2751-2751).....No limit

Animal feed regulation program
standards (046-00-3462-3376).....No limit

Biofuel infrastructure
program (046-00-3579-3579).....No limit

Rural business development
grant (046-00-3589-3589).....No limit

Agricultural marketing services
grant (046-00-3590-3590).....No limit

AMS farmers market promotion
program (046-00-3588-3588).....No limit

EPA pesticide disposal
 fund (046-00-3103-3001).....No limit

Grain commodity commission
 services fund (046-00-2018-1070).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2019, for the water plan project or projects specified, the following:

Water resources
 cost share (046-00-1800-1205).....\$1,948,289

Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2019 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2019 for the water resources cost share account.

Nonpoint source pollution
 assistance (046-00-1800-1210).....\$1,858,350

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Conservation district
 aid (046-00-1800-1220).....\$2,092,637

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Watershed dam
 construction (046-00-1800-1240).....\$550,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality buffer initiatives (046-00-1800-1250).....\$200,000

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*; That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: *And provided further*; That such expenditures may be made from this account from the approved budget amount for fiscal year 2019 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and wetland program (046-00-1800-1260).....\$152,651

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Basin management (046-00-1800-0080).....\$610,808

Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Water use (046-00-1800-0075).....\$72,600

Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Interstate water issues (046-00-1800-0070).....\$487,000

Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Kansas conservation reserve enhancement program fund (046-00-1800-1225).....\$200,000

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(d) During the fiscal year ending June 30, 2019, the secretary of agriculture, with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2019 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2019 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2018, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:

Agriculture marketing
 program (046-00-1900-1110).....\$1,050,980

Provided, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 156.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures.....\$150,000

Provided, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2018, to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of

revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,782.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special revenue fund (373-00-2267-2200).....No limit

Sec. 157.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Operating expenditures.....\$150,000

Provided, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2019, to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,782.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special revenue fund (373-00-2267-2200).....No limit

Sec. 158.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Water resources operating expenditures (709-00-1000-0303).....\$867,487

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund (709-00-2620-3200).....No limit

Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage assurance fund (709-00-2631-2800).....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2018, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

State conservation storage water supply fund (709-00-2502-2600).....No limit

Water marketing fund (709-00-2255-2100).....No limit

EPA wetland grant – federal fund (709-00-3914-3965).....No limit

General fees fund (709-00-2022-2000).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

- Indirect cost fund (709-00-2419-2419).....No limit
- Motor pool vehicle replacement fund (709-00-6120-6100).....No limit
- Reservoir storage beneficial use fund (709-00-2673-2630).....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

- Arkansas river water conservation projects fund (709-00-2503-2410).....No limit
- Republican river water conservation projects – Nebraska moneys fund (709-00-2690-2640).....No limit
- Republican river water conservation projects – Colorado moneys fund (709-00-2691-2680).....No limit

- Lower Smoky Hill water supply access fund (709-00-2772-2700).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2018, for the state water plan project or projects specified, the following:

Assessment and
 evaluation (709-00-1800-1110).....\$500,000

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

GIS data base
 development (709-00-1800-1140).....\$50,000

Provided, That any unencumbered balance in the GIS data base development account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

MOU – storage operations and
 maintenance (709-00-1800-1150).....\$363,699

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Stream gaging (709-00-1800-1190).....\$350,000

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Technical assistance to
 water users (709-00-1800-1200).....\$325,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Streambank stabilization (709-00-1800-1265).....\$1,000,000

Provided, That any unencumbered balance in the streambank stabilization account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Kansas river alluvial aquifer observation well network.....\$100,000

Reservoir bathymetric surveys and biological research.....\$100,000

(d) During the fiscal year ending June 30, 2018, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of

appropriation for fiscal year 2018 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2018 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2018, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2018, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments

payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2018, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2018, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$418,724 from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund.

(j) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,426 from the state water plan fund to the state general fund: *Provided*, That the amount transferred from the state water plan fund to the state general fund pursuant to this subsection is to reimburse the state general fund for bond payments for the John Redmond reservoir dredging project.

Sec. 159.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Water resources operating expenditures (709-00-1000-0303).....	\$874,440
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Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project match fund (709-00-2620-3200).....	No limit
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Provided, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage assurance
fund (709-00-2631-2800).....No limit

Provided, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2019, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users which is not held under contract in such reservoirs.

State conservation
storage water supply
fund (709-00-2502-2600).....No limit

Water marketing
fund (709-00-2255-2100).....No limit

EPA wetland grant –
federal fund (709-00-3914-3965).....No limit

General fees fund (709-00-2022-2000).....No limit

Provided, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund (709-00-2419-2419).....No limit

Motor pool vehicle
replacement fund (709-00-6120-6100).....No limit

Reservoir storage beneficial
 use fund (709-00-2673-2630).....No limit

Provided, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Arkansas river water
 conservation projects
 fund (709-00-2503-2410).....No limit

Republican river water
 conservation projects –
 Nebraska moneys
 fund (709-00-2690-2640).....No limit

Republican river water
 conservation projects –
 Colorado moneys
 fund (709-00-2691-2680).....No limit

Lower Smoky Hill
 water supply access
 fund (709-00-2772-2700).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2019, for the state water plan project or projects specified, the following:

Assessment and
 evaluation (709-00-1800-1110).....\$450,000

Provided, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

MOU – storage operations and
 maintenance (709-00-1800-1150).....\$350,000

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Stream gaging (709-00-1800-1190).....\$431,282

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Technical assistance to
water users (709-00-1800-1200).....\$325,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(d) During the fiscal year ending June 30, 2019, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2019 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2019 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2019, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2019, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation

and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2019, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2019, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2019, to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$419,474 from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund.

(j) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,426 from the state water plan fund to the state general fund: *Provided*, That the amount transferred from the state water plan fund to the state general fund pursuant to this subsection is to reimburse the state general fund for bond payments for the John Redmond reservoir dredging project.

Sec. 160.

KANSAS DEPARTMENT OF
WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

Operating expenditures (710-00-1900-1910).....\$1,676,134

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further*; That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2018, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2018 to include a provision on the calendar year 2018 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further*; That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating
expenditures (710-00-1900-1920).....\$1,494,275

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Travel and tourism operating
expenditures (710-00-1900-1901).....\$1,676,517

Provided, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for
annual licenses
issued to national guard
members (710-00-1900-1930).....\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2018 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys

appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members (710-00-1900-1940).....	\$17,922
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Provided, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2018 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans (710-00-1900-1950).....	\$39,827
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Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: *Provided further*, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2018 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2880).....\$30,145,839

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2018 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2018: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund (710-00-2122-2050).....\$8,979,521

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2018 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2018: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2800).....\$1,111,434

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2018 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2018: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund (710-00-6145-6100).....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other

state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access roads
fund (710-00-2178-2761).....\$1,615,641

Wildlife, parks and
tourism nonrestricted
fund (710-00-2065-2120).....No limit

Prairie spirit rails-to-trails
fee fund (710-00-2025-2030).....No limit

Plant and animal
disease and pest control
fund (710-00-3360-3361).....No limit

Nongame wildlife improvement
fund (710-00-2593-3300).....No limit

Wildlife conservation
fund (710-00-2100-2020).....No limit

Federally licensed wildlife areas
fund (710-00-2670-3400).....No limit

State agricultural production
fund (710-00-2050-5100).....No limit

Land and water conservation
fund – state (710-00-3794-3920).....No limit

Land and water conservation fund –
local (710-00-3794-3795).....No limit

Development and promotions
fund (710-00-2097-2010).....No limit

Department of wildlife and parks
private gifts and donations
fund (710-00-7335-7000).....No limit

Fish and wildlife restitution
fund (710-00-2166-2750).....No limit

Parks restitution
fund (710-00-2156-2100).....No limit

Nonfederal grants
fund (710-00-2063-2090).....No limit

Disaster grants – public assistance
fund (710-00-3005-3005).....No limit

Soil/water conservation
fund (710-00-3083-3083).....No limit

Navigation projects
fund (710-00-3191-3191).....No limit

Recreation resource management
fund (710-00-3197-3197).....No limit

Cooperative endangered
species conservation
fund (710-00-3198-3198).....No limit

Landowner incentive program
fund (710-00-3200-3210).....No limit

Bulletproof vest partnership
fund (710-00-3216-3216).....No limit

Recreational trails program
fund (710-00-3238-3238).....No limit

Highway planning/construction
fund (710-00-3333-3333).....No limit

Americorps – ARRA
fund (710-00-3404-3405).....No limit

North America
wetland conservation
fund (710-00-3453-3453).....No limit

Wildlife services
fund (710-00-3485-3485).....No limit

Fish/wildlife management assistance
fund (710-00-3495-3495).....No limit

Fish/wildlife core act
fund (710-00-3513-3513).....No limit

Watershed protection/
flood prevention
fund (710-00-3906-3906).....No limit

Suspense fund (710-00-9159-9000).....No limit

Employee maintenance
deduction clearing
fund (710-00-9120-9100).....No limit

Cabin revenue
fund (710-00-2668-2660).....No limit

Feed the hungry
fund (710-00-2642-2640).....No limit

State wildlife grants
fund (710-00-3204-3204).....No limit

Boating safety
financial assistance
fund (710-00-3251-3250).....No limit

Wildlife restoration
fund (710-00-2466-2466).....No limit

Sport fish restoration
fund (710-00-3490-3490).....No limit

Outdoor recreation acquisition,
development and planning
fund (710-00-3794-3795).....No limit

Publication and other sales

fund (710-00-2399-2399).....No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2018, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2018: *And provided further*, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits
fund (710-00-2493-2493).....No limit

Enforce underage drinking law
fund (710-00-3219-3219).....No limit

Migratory bird
monitoring (710-00-3504-3504).....No limit

Voluntary public
access (710-00-3557-3557).....No limit

Energy efficiency/
conservation block grant
fund (710-00-3157-3157).....No limit

Endangered species –
recovery fund (710-00-3209-3209).....No limit

Wetlands reserve program
fund (710-00-3007-3060).....No limit

Sec. 161.

KANSAS DEPARTMENT OF
WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:
Operating expenditures (710-00-1900-1910).....\$1,677,893

Provided, That any unencumbered balance in the operating expenditures account in

excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided, however;* That expenditures from this account for official hospitality shall not exceed \$1,000: *Provided further;* That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2019, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2019 to include a provision on the calendar year 2019 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: *And provided further;* That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating
 expenditures (710-00-1900-1920).....\$1,496,345

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Travel and tourism operating
 expenditures (710-00-1900-1901).....\$1,677,584

Provided, That expenditures from the travel and tourism operating expenditures fund for official hospitality shall not exceed \$4,000.

Reimbursement for
 annual licenses
 issued to national guard
 members (710-00-1900-1930).....\$36,342

Provided, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further;* That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2019 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national

guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual park permits issued to national guard members (710-00-1900-1940).....	\$17,922
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Provided, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2019 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*, That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual licenses issued to Kansas disabled veterans (710-00-1900-1950).....	\$39,827
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Provided, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019: *Provided further*, That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2019 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife, parks and tourism therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further*, That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2880).....\$29,986,964

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2019 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2019: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from the wildlife fee fund for official hospitality shall not exceed \$2,000.

Parks fee fund (710-00-2122-2050).....\$9,050,801

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2019 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2019: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2800).....\$1,100,001

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2019 for the purposes of compensating federal aid program expenditures if necessary in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further*; That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2019: *And provided further*; That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and the legislature as appropriate: *And provided further*; That expenditures from this fund for official hospitality shall not exceed \$2,000.

Central aircraft fund (710-00-6145-6100).....No limit

Provided, That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft insurance: *Provided further*; That the secretary of wildlife, parks and tourism is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part

of the operating expenditures incurred in providing such services: *And provided further*,
That all fees received for such services shall be credited to the central aircraft fund.

Department access roads
fund (710-00-2178-2761).....\$1,617,880

Wildlife, parks and
tourism nonrestricted
fund (710-00-2065-2120).....No limit

Prairie spirit rails-to-trails fee
fund (710-00-2025-2030).....No limit

Plant and animal
disease and pest control
fund (710-00-3360-3361).....No limit

Nongame wildlife improvement
fund (710-00-2593-3300).....No limit

Wildlife conservation
fund (710-00-2100-2020).....No limit

Federally licensed wildlife areas
fund (710-00-2670-3400).....No limit

State agricultural production
fund (710-00-2050-5100).....No limit

Land and water conservation fund –
state (710-00-3794-3920).....No limit

Land and water conservation fund –
local (710-00-3794-3795).....No limit

Development and promotions
fund (710-00-2097-2010).....No limit

Department of wildlife and parks
private gifts and donations
fund (710-00-7335-7000).....No limit

Fish and wildlife restitution
fund (710-00-2166-2750).....No limit

Parks restitution
fund (710-00-2156-2100).....No limit

Nonfederal grants
fund (710-00-2063-2090).....No limit

Disaster grants –
public assistance
fund (710-00-3005-3005).....No limit

Soil/water conservation
fund (710-00-3083-3083).....No limit

Navigation projects
fund (710-00-3191-3191).....No limit

Recreation resource management
fund (710-00-3197-3197).....No limit

Cooperative endangered
species conservation
fund (710-00-3198-3198).....No limit

Landowner incentive program
fund (710-00-3200-3210).....No limit

Bulletproof vest partnership
fund (710-00-3216-3216).....No limit

Recreational trails program
fund (710-00-3238-3238).....No limit

Highway planning/construction
fund (710-00-3333-3333).....No limit

Americorps – ARRA
fund (710-00-3404-3405).....No limit

Cooperative forestry assistance
fund (710-00-3426-3426).....No limit

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North America
wetland conservation
fund (710-00-3453-3453).....No limit

Wildlife services
fund (710-00-3485-3485).....No limit

Fish/wildlife
management assistance
fund (710-00-3495-3495).....No limit

Fish/wildlife core act
fund (710-00-3513-3513).....No limit

Watershed protection/
flood prevention
fund (710-00-3906-3906).....No limit

Suspense fund (710-00-9159-9000).....No limit

Employee maintenance
deduction clearing
fund (710-00-9120-9100).....No limit

Cabin revenue
fund (710-00-2668-2660).....No limit

Feed the hungry
fund (710-00-2642-2640).....No limit

State wildlife grants
fund (710-00-3204-3204).....No limit

Boating safety
financial assistance
fund (710-00-3251-3250).....No limit

Wildlife restoration
fund (710-00-2466-2466).....No limit

Sport fish restoration
fund (710-00-3490-3490).....No limit

Outdoor recreation acquisition, development and planning fund (710-00-3794-3795).....No limit

Publication and other sales fund (710-00-2399-2399).....No limit

Provided, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2019, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures if necessary in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: Provided further, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2019: And provided further, That the secretary of wildlife, parks and tourism shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and permits fund (710-00-2493-2493).....No limit

Enforce underage drinking law fund (710-00-3219-3219).....No limit

Migratory bird monitoring (710-00-3504-3504).....No limit

Voluntary public access (710-00-3557-3557).....No limit

Energy efficiency/ conservation block grant fund (710-00-3157-3157).....No limit

Endangered species – recovery fund (710-00-3209-3209).....No limit

Wetlands reserve program fund (710-00-3007-3060).....No limit

Sec. 162.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, or as soon thereafter as moneys are available,

the director of accounts and reports shall transfer \$6,230,240 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund.

Sec. 163.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100).....No limit

Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund (276-00-4220-4220).....No limit

County equalization and adjustment fund (276-00-4210-4210).....\$2,500,000

Highway special permits fund (276-00-2576-2576).....\$0

Highway bond debt service fund (276-00-4707-9000).....No limit

Rail service improvement fund (276-00-2008-2100).....No limit

Transportation revolving fund (276-00-7511-1000).....No limit

Rail service assistance program loan guarantee fund (276-00-7502-7200).....No limit

Railroad rehabilitation loan guarantee fund (276-00-7503-7500).....No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the

fiscal year ending June 30, 2018, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor
vehicle fuel sales
fund (276-00-2298-2400).....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public
transportation assistance
fund (276-00-2572-0300).....No limit

Public use general aviation
airport development
fund (276-00-4140-4140).....No limit

Highway bond proceeds
fund (276-00-4109-4110).....No limit

Communication system revolving
fund (276-00-7524-7700).....No limit

Traffic records enhancement
fund (276-00-2356-2000).....No limit

Other federal grants
fund (276-00-3122-3100).....No limit

Kansas intermodal
transportation revolving

fund (276-00-7552-7551).....No limit

Conversion of materials and equipment fund (276-00-2256-2256).....No limit

Seat belt safety fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2018, from the state highway fund for the following specified purposes: *Provided*, That expenditures from the state highway fund (276-00-4100-4100) for fiscal year 2018, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403).....\$251,889,980

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance (276-00-4100-0700).....No limit

Claims (276-00-4100-1150).....No limit

Payments for city connecting links (276-00-4100-6200).....\$3,360,000

Federal local aid programs (276-00-4100-3000).....No limit

Bond services fees (276-00-4100-0580).....	No limit
Other capital improvements (276-00-4100-8075).....	No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair (276-00-4100-8005).....	\$3,638,000
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Buildings – reroofing (276-00-4100-8010).....	\$743,401
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Buildings – other construction, renovation and repair (276-00-4100-8070).....	\$3,418,982
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(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund for fiscal year 2018, expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2018 from the unencumbered balance as of June 30, 2017, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2018 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2017, subject to the provisions of subsection (d): *Provided further*; That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2018.

(d) During the fiscal year ending June 30, 2018, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2018 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2018 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2018, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2018, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2018, from the state highway fund to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund (276-00-4100-4100) for fiscal year 2018.

(h) For the fiscal year ending June 30, 2018, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2017, October 1, 2017, January 1, 2018, and April 1, 2018, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$72,074,415.75 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*; That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2018 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2018.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for such state agency as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by such agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 for the purposes of reconstruction and maintenance of existing highways: *Provided, however*; That if the above agency has insufficient funds to expend on such reconstruction and maintenance projects, then the above agency is hereby authorized and empowered to issue additional bonds pursuant to K.S.A. 68-2320, and amendments thereto, in an amount not to exceed \$400,000,000 during fiscal year 2018 and fiscal year 2019: *And provided, however*; That any additional bonds issued pursuant to this proviso shall be subject to the limitations established on maximum principal amount by K.S.A. 68-2320,

and amendments thereto.

Sec. 164.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100)No limit

Provided, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county highway fund (276-00-4220-4220)No limit

County equalization and adjustment fund (276-00-4210-4210).....\$2,500,000

Highway special permits fund (276-00-2576-2576).....\$0

Highway bond debt service fund (276-00-4707-9000).....No limit

Rail service improvement fund (276-00-2008-2100).....No limit

Transportation revolving fund (276-00-7511-1000).....No limit

Rail service assistance program loan guarantee fund (276-00-7502-7200).....No limit

Railroad rehabilitation loan guarantee fund (276-00-7503-7500).....No limit

Provided, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the

fiscal year ending June 30, 2019, in satisfaction of liabilities arising from the unconditional guarantee of payment which was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor
vehicle fuel sales
fund (276-00-2298-2400).....No limit

Provided, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to the Kansas highway patrol: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to the Kansas highway patrol: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to the Kansas highway patrol: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public
transportation assistance
fund (276-00-2572-0300).....No limit

Public use general aviation
airport development
fund (276-00-4140-4140).....No limit

Highway bond proceeds
fund (276-00-4109-4110).....No limit

Communication system revolving
fund (276-00-7524-7700).....No limit

Traffic records enhancement
fund (276-00-2356-2000).....No limit

Other federal grants
fund (276-00-3122-3100).....No limit

Kansas intermodal
transportation revolving

fund (276-00-7552-7551).....No limit

Conversion of materials and equipment fund (276-00-2256-2256).....No limit

Seat belt safety fund.....No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2019, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2019, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403).....\$255,687,170

Provided, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*, That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

Provided, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*, That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the conference fees account of the state highway fund: *And provided further*, That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance (276-00-4100-0700).....No limit

Claims (276-00-4100-1150).....No limit

Payments for city connecting links (276-00-4100-6200).....\$3,360,000

Federal local aid programs (276-00-4100-3000).....No limit

Bond services fees (276-00-4100-0580).....No limit

Other capital improvements (276-00-4100-8075).....No limit

Provided, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation and repair (276-00-4100-8005).....\$3,740,000

Buildings – reroofing (276-00-4100-8010).....\$1,025,818

Buildings – other construction, renovation and repair (276-00-4100-8070).....\$4,452,749

Buildings – purchase land (276-00-4100-8065).....\$45,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2019, expenditures may be made by the above agency from the state highway fund for fiscal year 2019 from the unencumbered balance as of June 30, 2018, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2019 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2018, subject to the provisions of subsection (d): *Provided further*, That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2019.

(d) During the fiscal year ending June 30, 2019, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2019 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2019 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of

each such certification to the director of legislative research.

(e) On April 1, 2019, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2019, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2019, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2019.

(h) For the fiscal year ending June 30, 2019, the department of transportation shall prepare and submit along with the documents required under K.S.A. 75-3717, and amendments thereto, additional documents that present the revenues, transfers, and expenditures that are considered to be in support of the transportation works for Kansas program (T-WORKS) authorized by K.S.A. 68-2314b et seq., and amendments thereto: *Provided*, That documents shall include both reportable as well as nonreportable and off-budget items that reflect the revenues, transfers and expenditures associated with the comprehensive transportation program.

(i) On July 1, 2018, October 1, 2018, January 1, 2019, and April 1, 2019, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$73,281,583.75 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*; That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2019 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2019.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for such state agency as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures shall be made by such agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2019 for the purposes of reconstruction and maintenance of existing highways: *Provided, however*; That if the above agency has insufficient funds to expend on such reconstruction and maintenance projects, then the above agency is hereby authorized and empowered to issue additional bonds pursuant to K.S.A. 68-2320, and amendments thereto, in an amount not to exceed \$400,000,000 during fiscal year 2018 and fiscal year 2019: *And provided, however*; That any additional bonds issued pursuant to this proviso shall be

subject to the limitations established on maximum principal amount by K.S.A. 68-2320, and amendments thereto.

Sec. 165. (a) During the fiscal year ending June 30, 2018, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature to issue additional state obligations payable from the state general fund if the resulting annual debt service for all state obligations payable from the state general fund exceeds the limitation imposed by this section. The maximum annual debt service in fiscal year 2018 on state obligations payable from the state general fund may not exceed an amount equal to 4% of the average of state general fund revenues, excluding revenues constitutionally dedicated for purposes other than payment of state obligations, for the immediately preceding three fiscal years. Such amount shall be determined by the director of the budget in consultation with the director of legislative research.

(b) For the purposes of this section, "state obligations payable from the state general fund" means obligations, including, but not limited to, bonds and lease-purchase agreements in a principal amount greater than \$250,000, which are authorized or reasonably expected to be repaid by appropriations from the state general fund. "State obligations payable from the state general fund" shall not include obligations with respect to which the state director of the budget certifies are reasonably expected to be paid from sources other than the state general fund.

Sec. 166. (a) During the fiscal year ending June 30, 2019, no expenditures shall be made by any state agency named in this act from moneys appropriated from the state general fund for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature to issue additional state obligations payable from the state general fund if the resulting annual debt service for all state obligations payable from the state general fund exceeds the limitation imposed by this section. The maximum annual debt service in fiscal year 2019 on state obligations payable from the state general fund may not exceed an amount equal to 4% of the average of state general fund revenues, excluding revenues constitutionally dedicated for purposes other than payment of state obligations, for the immediately preceding three fiscal years. Such amount shall be determined by the director of the budget in consultation with the director of legislative research.

(b) For the purposes of this section, "state obligations payable from the state general fund" means obligations, including, but not limited to, bonds and lease-purchase agreements in a principal amount greater than \$250,000, which are authorized or reasonably expected to be repaid by appropriations from the state general fund. "State obligations payable from the state general fund" shall not include obligations with respect to which the state director of the budget certifies are reasonably expected to be paid from sources other than the state general fund.

Sec. 167. (a) During the fiscal year ending June 30, 2018, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2018 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2018 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the

director of legislative research.

(b) During the fiscal year ending June 30, 2019, the director of the budget may transfer any part of any item of appropriation for an information technology project in any cabinet agency account of the state general fund appropriated for fiscal year 2019 for such cabinet agency to another item of appropriation for an information technology project in any other cabinet agency account of the state general fund appropriated for fiscal year 2019 for such other cabinet agency. The director of the budget shall certify each such amount transferred, and shall transmit a copy of such certification to the director of legislative research.

(c) As used in this section: (1) "cabinet agency" means (A) the department of administration, (B) the department of revenue, (C) the department of commerce, (D) the department of labor, (E) the department of health and environment, (F) the Kansas department for aging and disability services, (G) the Kansas department for children and families, (H) the department of corrections, (I) the adjutant general, (J) the Kansas highway patrol, (K) the Kansas department of agriculture, (L) the Kansas department of wildlife, parks and tourism, and (M) the department of transportation; and

(2) "information technology projects" shall include information technology related expenditures including: (A) Services, labor (full-time, part-time or contract), contract payments, purchases related to planning, designing, developing, testing, implementing, training, operating, supporting, securing and maintaining any of the data, applications and/or technologies listed in this subsection; (B) all data under the custodianship of the executive branch; (C) all computer applications under the custodianship of the executive branch; and (D) all technology, digital information involving any form of computer storage, including, but not limited to, mainframes, servers, networks and network-related items, including switches, routers, cables, fiber, telecommunications and personal computer's, laptops, tablet computers, mobile phones, digital storage in any form or format, printers, fax machines and cloud computing.

Sec. 168. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2018, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2018 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2018 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 25, 2018, which is chargeable to fiscal year 2018 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2018, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are

chargeable to fiscal year 2018.

Sec. 169. (a) In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2019, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2019 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (A) Equal to \$354.15 for the two-week period which coincides with the first biweekly payroll period which is chargeable to fiscal year 2019 and for each of the 14 ensuing two-week periods thereafter; and (B) equal to \$354.15 for the two-week period which coincides with the biweekly payroll period which includes March 24, 2019, which is chargeable to fiscal year 2019 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2019, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this subsection (a) for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods for which such allowance is payable in accordance with this subsection (a) and which are chargeable to fiscal year 2019.

Sec. 170. (a) On June 30, 2018, notwithstanding the provisions of K.S.A. 2016 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2018, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2018, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2018, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2018. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 171. (a) On June 30, 2019, notwithstanding the provisions of K.S.A. 2016 Supp. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded

lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2019, the director of accounts and reports shall determine and notify the director of the budget, if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2019, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2019, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2019. Upon receipt of such certification, the director of accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 172. (a) On July 1, 2017, during the fiscal year ending June 30, 2018, notwithstanding the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal years 2015, 2016 and 2017 pursuant to section 178 of chapter 104 of the 2015 Session Laws of Kansas, received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2018 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2016 Supp. 82a-1804(g), and amendments thereto: *Provided, however*; That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

(b) On July 1, 2018, during the fiscal year ending June 30, 2019, notwithstanding

the provisions of K.S.A. 82a-1802, and amendments thereto, or any other statute, of all the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, the state treasurer is hereby authorized and directed to credit the first \$2,000,000, including any moneys credited in fiscal years 2015, 2016 and 2017 pursuant to section 178 of chapter 104 of the 2015 Session Laws of Kansas, and 2018 pursuant to subsection (a), received and deposited in the state treasury to the interstate water litigation fund of the attorney general: *Provided*, That, after such aggregate amount has been credited to the interstate water litigation fund of the attorney general, then all of the moneys received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, during fiscal year 2017 shall be credited to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *Provided further*, That, notwithstanding the provisions of any statute, the director of the Kansas water office, in consultation with the local stakeholders in the basin, the chief engineer and the secretary of agriculture, shall expend such moneys in the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office for water improvement projects in the Republican river basin as described in K.S.A. 2016 Supp. 82a-1804(g), and amendments thereto: *Provided, however*, That, if moneys have been received from the state of Nebraska under the case of *Kansas v. Nebraska*, No. 126, Original in the Supreme Court of the United States, and the state treasurer has credited the money pursuant to K.S.A. 82a-1802, and amendments thereto, the director of accounts and reports shall transfer the amount of money which exceeds \$2,000,000 from the interstate water litigation fund of the attorney general to the Republican river water conservation projects – Nebraska moneys fund of the Kansas water office: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer to the director of legislative research and the director of the budget.

Sec. 173. During the fiscal year ending June 30, 2018, in addition to the other purposes for which expenditures may be made from the state general fund or any special revenue fund or funds for fiscal year 2018 by Kansas state university, Emporia state university, Pittsburg state university, Fort Hays state university and Wichita state university by this or other appropriation act of the 2017 regular session of the legislature, expenditures shall be made by such universities from the state general fund or any special revenue fund or funds to appear before the legislative budget committee during the 2017 interim and report on the measures such universities have undertaken, or plan to undertake, to maximize efficiencies, including, but not limited to, reviewing and evaluating procurement practices, maximizing technology, shared services, maintenance of facilities and any other potential efficiencies as established by such universities.

Sec. 174. (a) During fiscal year 2018 and fiscal year 2019, notwithstanding any other provision of law, no state agency shall expend any moneys appropriated for fiscal year 2018 or fiscal year 2019 from the state general fund or from any special revenue fund or funds by this or any other appropriation act of the 2017, 2018 or 2019 regular session of the legislature to integrate, consolidate or otherwise alter the structure of any of the following home and community based waiver services under the Kansas program of medical assistance, or to submit to the federal centers for medicare and medicaid services any proposal to integrate, consolidate or otherwise alter the structure of such

services or to combine, reassign or otherwise alter currently designated responsibilities to provide intake, assessment or referral services for such services, if such integration, consolidation, alterations, combination or reassignment is designed or intended to be implemented prior to fiscal year 2020: Medical services; behavioral health services; transportation; nursing facilities; other long-term care; autism; frail elderly; technology assistance; physical disability; traumatic brain injury; intellectual/developmental disability; or serious emotional disturbance: *Provided*, That the department of health and environment and the Kansas department for aging and disability services shall prepare and submit reports to the house standing committee on appropriations, the senate standing committee on ways and means and the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight describing the status of any plan to integrate, consolidate or alter such waiver services or combine, reassign or otherwise alter currently designated responsibilities to provide intake, assessment or referral services for such services, including any proposed waiver applications or amendments, any service definitions and the proposed rate structure for each such service: *Provided further*, That the department of health and environment and the Kansas department for aging and disability services shall submit such reports on or before January 1, 2018, and March 1, 2018.

Sec. 175. (a) On or after July 1, 2017, notwithstanding the provisions of K.S.A. 74-4927, and amendments thereto, or any other statute, no state agency shall pay to the Kansas public employees retirement system any amount to the group insurance reserve fund attributable to the first six pay periods of the fiscal year ending June 30, 2018, that constitute such state agency's portion of the state's contribution to the group insurance reserve fund under K.S.A. 74-4927, and amendments thereto.

Sec. 176. On the effective date of this act, notwithstanding the provisions of any statute, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature to demolish the Docking state office building or to reconstruct, relocate, or renovate the power plant or energy center without prior specific authorization by an act of the legislature or an appropriation act of the legislature: *Provided*, That no expenditures may be made from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature by any state agency to sell, lease, transfer or otherwise convey the land on which building no. 3 (Docking state office building) is situated without prior specific authorization in an act of the legislature or an appropriation act of the legislature.

Sec. 177.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

State employee pay increase	
fund.....	\$12,200,000

Provided, That all moneys in the state employee pay increase fund shall be used for

the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2018.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2018, the following:

State employee pay increase.....\$100,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2018.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2018, the following:

State employee pay increase.....\$5,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2018.

(d) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2018. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2018.

(e) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of this section shall not apply to the compensation or bi-weekly allowance paid to each member of the legislature.

(2) The provisions of this section shall not apply to:

(A) Trooper or officer classifications of the Kansas highway patrol.

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

(C) Employees of the Kansas bureau of investigation who were included in the recruitment and retention plan of the Kansas bureau of investigation.

(D) State officers elected on a statewide basis.

(f) A state employee shall be eligible for a salary increase under this section based

on only one of the following:

(1) 5% salary increase, including associated employer contributions, for all state employees in the classified and unclassified service who have not received an increase in salary after July 1, 2012, and who have been continuously employed by the state since July 1, 2012, except as provided in paragraph (3) or (4);

(2) 2.5% salary increase, including associated employer contributions, for all state employees in the classified and unclassified service who first became employed by the state after July 1, 2012;

(3) 2.5% salary increase, including associated employer contributions, for all non-judicial employees of the judicial branch; or

(4) 2.5% salary increase, including associated employer contributions, for all justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges.

(g) The director of the budget shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified, and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

Sec. 178.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

State employee pay increase fund.....\$12,200,000

Provided, That all moneys in the state employee pay increase fund shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2019.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2019, the following:

State employee pay increase.....\$100,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2019.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2019, the following:

State employee pay increase.....\$5,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2019.

(d) Upon recommendation of the director of the budget, the state finance council, acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2019. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts in accordance with such approval for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2019.

(e) The director of the budget shall prepare a budget estimate based upon the most recent payroll information for the salary increases and other amounts specified, and all amendments and revisions of such estimate, and the director of the budget shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the director of legislative research.

Sec. 179.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities (173-00-1000-8500).....\$147,588

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Judicial center rehabilitation and repair (173-00-1000-8540).....\$73,861

Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

National bio and agro-defense facility – debt service (173-00-1000-0460).....\$23,483,888

Kansas department of
 transportation – CTP – debt
 service (173-00-1000-0790).....\$10,434,600

Capitol complex repair and
 rehabilitation (173-00-1000-8170).....\$1,975,753

Restructuring debt
 service (173-00-1000-0450).....\$3,545,532

John Redmond reservoir debt
 service (173-00-1000-0461).....\$1,670,750

University of Kansas medical
 education building debt
 service (173-00-1000-0462).....\$1,864,750

Debt service refunding –
 2015A (173-00-1000-0463).....\$13,875,300

Debt service refunding –
 2016H.....\$2,266,675

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial
 fund (173-00-7253-7250).....No limit

State facilities gift
 fund (173-00-7263-7290).....No limit

Master lease program
 fund (173-00-8732).....No limit

State buildings depreciation
 fund (173-00-6149-4500).....No limit

Executive mansion gifts
 fund (173-00-7257-7270).....No limit

Topeka state hospital

cemetery memorial gift fund (173-00-7337-7240).....No limit

Capitol area plaza authority planning fund (173-00-7121-7035).....No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: Provided further, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund (173-00-2861-2861).....No limit

Provided, That on September 1, 2017, and February 1, 2018, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,136,482 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Restructuring debt service – state highway fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028-2000) for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund (173-00-6149) for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas
 facilities projects – debt
 service (173-00-6149-4520).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2018.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund (173-00-6148) for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt
 service (173-00-6148-4130).....No limit

Eisenhower building purchase
 and renovation – debt
 service (173-00-6148-4610).....No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148), for fiscal year 2018, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2018 from the unencumbered balance as of June 30, 2017, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2017: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2018 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2018.

(g) On July 1, 2017, the debt service refunding account (173-00-1000-0463) of the state general fund of the department of administration is hereby redesignated as the debt service refunding – 2015A account (173-00-1000-0463) of the state general fund of the department of administration.

Sec. 180.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for state facilities (173-00-1000-8500).....\$147,588

Provided, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Judicial center rehabilitation and repair (173-00-1000-8540).....\$73,861

Provided, That any unencumbered balance in the judicial center rehabilitation and repair account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

National bio and agro-defense facility – debt service (173-00-1000-0460).....\$23,457,044

Capitol complex repair and rehabilitation (173-00-1000-8170).....\$1,975,753

Restructuring debt service (173-00-1000-0450).....\$3,540,378

John Redmond reservoir debt service (173-00-1000-0461).....\$1,671,500

University of Kansas medical education building debt service (173-00-1000-0462).....\$1,866,000

Debt service refunding – 2015A (173-00-1000-0463).....\$18,784,050

Debt service refunding – 2016H.....\$2,928,225

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250).....No limit

State facilities gift fund (173-00-7263-7290).....No limit

Master lease program
fund (173-00-8732).....No limit

State buildings depreciation
fund (173-00-6149-4500).....No limit

Executive mansion gifts
fund (173-00-7257-7270).....No limit

Topeka state hospital
cemetery memorial gift
fund (173-00-7337-7240).....No limit

Capitol area plaza
authority planning
fund (173-00-7121-7035).....No limit

Provided, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt
service – state highway
fund (173-00-2861-2861).....No limit

Provided, That on September 1, 2018, and February 1, 2019, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$9,127,055.50 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Restructuring debt
service – state highway
fund (173-00-1000-0450).....No limit

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2019 for the

following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

State of Kansas facilities projects – debt service (173-00-6149-4520).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2019.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Memorial hall – debt service (173-00-6148-4130).....No limit

Eisenhower building purchase and renovation – debt service (173-00-6148-4610).....No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2019, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2019 from the unencumbered balance as of June 30, 2018, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2018: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2019 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2019.

Sec. 181.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2018, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities (300-00-2275-2297).....\$137,150

Rehabilitation and repair (300-00-2275-2410).....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2018, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275-3272).....No limit

Sec. 182.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2019, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430 Topeka facilities (300-00-2275-2297).....\$136,525

Rehabilitation and repair (300-00-2275-2410).....No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2019, for the following capital

improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275-3272).....No limit

Sec. 183.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund (331-00-2887-2800).....No limit

Sec. 184.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Insurance department rehabilitation and repair fund (331-00-2887-2800).....No limit

Sec. 185.

KANSAS DEPARTMENT FOR AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$3,000,000

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2018 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2018 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security
 hospital (039-00-8100-8320).....\$3,849,532

Debt service – state hospitals
 rehabilitation and
 repair (039-00-8100-8325).....\$2,583,200

Larned state hospital – city of
 Larned wastewater
 treatment (410-00-8100-8300).....\$129,620

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Parsons state hospital and
 training center –
 energy conservation
 improvement debt
 service (507-00-8100-8330).....\$171,260

Kansas neurological institute –
 energy conservation
 improvement debt
 service (363-00-8100-8000).....\$185,248

Sec. 186.

KANSAS DEPARTMENT FOR
 AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Rehabilitation and repair
 projects (039-00-8100-8240).....\$3,000,000

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2019 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2019 for the purposes of rehabilitation and repair for facilities

of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – new state security hospital (039-00-8100-8320).....\$3,845,751

Debt service – state hospitals rehabilitation and repair (039-00-8100-8325).....\$2,602,200

Larned state hospital – city of Larned wastewater treatment (410-00-8100-8300).....\$129,620

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Parsons state hospital and training center – energy conservation improvement debt service (507-00-8100-8330).....\$178,424

Sec. 187.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund (296-00-3336-3110).....No limit

Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2018 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be

initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2018 as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2018 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*, That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*, That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund (296-00-3336-3110) of the department of labor: *And provided further*, That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund (296-00-2120) for fiscal year 2018, expenditures may be made by the above agency from the special employment security fund for fiscal year 2018 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund (296-00-2120-2020) for fiscal year 2018 for such capital improvement purposes shall not exceed \$181,860: *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2018.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2018, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2018 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2227) for fiscal year 2018 for such capital improvement purposes shall not exceed \$97,925; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund

(296-00-2124-2228) for fiscal year 2018 for such capital improvement purposes shall not exceed \$780,000.

Sec. 188.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property sale fund (296-00-3336-3110).....	No limit
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Provided, That the secretary of labor is hereby authorized to make expenditures from the employment security administration property sale fund during fiscal year 2019 for the unemployment insurance program: *Provided, however*; That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund for fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2019 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided*, That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however*; That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further*; That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further*; That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2019 by this or other appropriation act

of the 2017 or 2018 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund (296-00-2120) for fiscal year 2019, expenditures may be made by the above agency from the special employment security fund for fiscal year 2019 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the special employment security fund (296-00-2120-2020) for fiscal year 2019 for such capital improvement purposes shall not exceed \$178,822; *Provided further*, That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2019.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2019, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2019 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2227) for fiscal year 2019 for such capital improvement purposes shall not exceed \$96,289; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2019 for such capital improvement purposes shall not exceed \$265,000.

Sec. 189.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2017, for the capital improvements project or projects specified, the following:

Veterans' home rehabilitation and repair projects (694-00-8100-8250).....\$250,000

Sec. 190.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Veterans cemetery program
rehabilitation and repair
projects (694-00-1000-0904).....\$100,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Soldiers' home
 rehabilitation and repair
 projects (694-00-8100-7100).....\$637,900

Veterans' home
 rehabilitation and repair
 projects (694-00-8100-8250).....\$812,050

KSH demolition of
 campus structures
 project (694-00-8100-8252).....\$109,000

Sec. 191.

KANSAS COMMISSION ON
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Veterans cemetery program
 rehabilitation and repair
 projects (694-00-1000-0904).....\$49,965

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Soldiers' home
 rehabilitation and repair
 projects (694-00-8100-7100).....\$637,900

Veterans' home
 rehabilitation and repair
 projects (694-00-8100-8250).....\$812,050

KSH demolition of
 campus structures
 project (694-00-8100-8252).....\$109,000

Sec. 192.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$250,000
Security system upgrade project (604-00-8100-8130).....	\$361,533
Facilities conservation improvement debt service (604-00-8100-8125).....	\$42,408
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$25,000

Sec. 193.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$265,000
Security system upgrade project (604-00-8100-8130).....	\$105,000
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$170,000

Sec. 194.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$295,000
Facilities conservation improvement debt service (610-00-8100-8120).....	\$85,061
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$180,000

Campus life safety and security (610-00-8100-8130).....\$520,998

Sec. 195.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....\$295,000

Facilities conservation improvement debt service (610-00-8100-8120).....\$88,619

Campus boilers and HVAC upgrades 610-00-8100-8145).....\$90,000

Campus life safety and security (610-00-8100-8130).....\$390,000

Sec. 196.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, the following:

Rehabilitation and repair projects (288-00-1000-8088).....\$250,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018: Provided further, That during the fiscal year ending June 30, 2018, expenditures from the rehabilitation and repair projects account may be made for the purpose of replacing the state archives roof at the state historical society.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302-7000) for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2018.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2018.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, and historical preservation grant in aid fund for fiscal year 2018, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2018 from the unencumbered balance as of June 30, 2017, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2017: *Provided further*; That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2018 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2018.

Sec. 197.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, the following:

Rehabilitation and repair projects (288-00-1000-8088).....\$250,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302-7000) for

fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2019.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2019.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, and historical preservation grant in aid fund for fiscal year 2019, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2019 from the unencumbered balance as of June 30, 2018, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2018: *Provided further*; That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2019 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2019.

Sec. 198.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing fund (379-00-5161-5040).....No limit

Twin towers bond and interest sinking fund (379-00-5409-5070).....No limit

Twin towers maintenance and equipment reserve fund (379-00-5610-5110).....No limit

Deferred maintenance support fund (379-00-2485-2485).....No limit

Housing system repairs, equipment and improvement fund (379-00-5650-5120).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund (379-00-8001-8318) of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the housing system repairs, equipment and improvement fund (379-00-5650-5120) during the fiscal year ending June 30, 2018, expenditures may be made by the above agency from the appropriate account or accounts of the housing system repairs, equipment and improvement fund during fiscal year 2018 for a capital improvement project to plan, construct and remodel Abigail Morse residence hall and the residential life resident project.

(d) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to demolish, reconstruct, redevelop, renovate, make additions to and equip the Abigail Morse residence hall and to construct, equip and furnish a new residential life residence facility all on the campus of Emporia state university: *Provided*, That such capital improvement project is hereby approved for

Emporia state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*; That Emporia state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*; That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$30,500,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*; That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*; That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*; That Emporia state university shall make provisions for the maintenance of Abigail Morse residence hall and the residential life residence project.

Sec. 199.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union refurbishing
fund (379-00-5161-5040).....No limit

Twin towers bond and
interest sinking
fund (379-00-5409-5070).....No limit

Twin towers maintenance
and equipment reserve
fund (379-00-5610-5110).....No limit

Deferred maintenance support fund (379-00-2485-2485).....No limit

Housing system
repairs, equipment
and improvement
fund (379-00-5650-5120).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas

educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the housing system repairs, equipment and improvement fund (379-00-5650-5120) during the fiscal year ending June 30, 2019, expenditures may be made by the above agency from the appropriate account or accounts of the housing system repairs, equipment and improvement fund during fiscal year 2019 for a capital improvement project to plan, construct and remodel Abigail Morse residence hall and the residential life resident project.

Sec. 200.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation –
bond and interest
sinking fund (246-00-5012).....No limit

Lewis field renovation –
revenue fund (246-00-5150-5180).....No limit

Memorial union renovation debt
service fund (246-00-5601).....No limit

Deferred maintenance
support fund (246-00-2483-2483).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

Sec. 201.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Lewis field renovation –
bond and interest
sinking fund (246-00-5012).....No limit

Lewis field renovation –
revenue fund (246-00-5150-5180).....No limit

Memorial union renovation debt
service fund (246-00-5601).....No limit

Deferred maintenance
support fund (246-00-2483-2483).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

Sec. 202.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Deferred maintenance
support fund (367-00-2484-2484).....No limit

Coliseum repair
equipment improvement
fund (367-00-5642-4750).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas

educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

(c) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to convert and upgrade electrical distribution systems on the campus of Kansas state university: *Provided*, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$8,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of electrical distribution systems project.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2018 for a capital improvement project to convert and upgrade electrical distribution systems.

(e) In addition to the other purposes for which expenditures may be made by Kansas state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019 as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by Kansas state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or fiscal year 2019, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct student housing in Salina:

Provided, That such capital improvement project is hereby approved for Kansas state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Kansas state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$6,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That Kansas state university shall make provisions for the maintenance of student housing in Salina project.

(f) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2018 for a capital improvement project to construct student housing in Salina.

Sec. 203.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Deferred maintenance
support fund (367-00-2484-2484).....No limit

Coliseum repair equipment
improvement fund (367-00-5642-4750).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2019 for a capital improvement project to convert and upgrade electrical distribution systems.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2019 for a capital improvement project to construct student housing in Salina.

Sec. 204.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation
revenue fund (385-00-2833-2830).....No limit

Overman renovation
revenue fund (385-00-2820-2820).....No limit

Deferred maintenance
support fund (385-00-2486-2486).....No limit

Student health center – private
gifts fund (385-00-7290-7290).....No limit

Student health center KDFFA
rev acct (385-00-2828-2851).....No limit

2014 – A PSU projects (385-00-5106).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1,

2016.

Sec. 205.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Horace Mann renovation
revenue fund (385-00-2833-2830).....No limit

Overman renovation
revenue fund (385-00-2820-2820).....No limit

Deferred maintenance
support fund (385-00-2486-2486).....No limit

Student health center – private
gifts fund (385-00-7290-7290).....No limit

Student health center K DFA
rev acct (385-00-2828-2851).....No limit

2014 – A PSU
projects (385-00-5106).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

Sec. 206.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified as follows:

School of pharmacy
debt service (682-00-1000-0320).....\$992,700

School of pharmacy
 debt service 2009 (682-00-1000-0400).....\$2,492,395

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation
 revenue fund (682-00-5171-5060).....No limit

Student health facility maintenance,
 repair, and equipment
 fee fund (682-00-5640-5120).....No limit

Regents center revenue fund – KDFA D
 bonds, 1990 (682-00-8350-8410).....No limit

Parking facilities surplus fund – KDFA G
 bonds, 1993 (682-00-5802-5170).....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2018 from the parking facilities surplus fund – KDFA G bonds, 1993 to the restricted fees fund.

Deferred maintenance
 support fund (682-00-2487-2487).....No limit

Child care facility revenue
 bond fund (682-00-2372).....No limit

Student recreation & fitness center
 revenue fund (682-00-2864-2860).....No limit

Child care facility
 addition fund (682-00-2377-2370).....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2018 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*; That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2018 for a capital improvement project to construct an earth, energy, and environment center and Corbin hall.

Sec. 207.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified as follows:

School of pharmacy debt
service (682-00-1000-0320).....\$994,500

School of pharmacy debt
service 2009 (682-00-1000-0400).....\$2,493,414

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student union renovation
revenue fund (682-00-5171-5060).....No limit

Student health facility maintenance,
repair, and equipment
fee fund (682-00-5640-5120).....No limit

Regents center revenue fund – K DFA D
bonds, 1990 (682-00-8350-8410).....No limit

Parking facilities surplus fund – K DFA G
bonds, 1993 (682-00-5802-5170).....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2019 from the parking facilities surplus fund – K DFA G bonds, 1993 to the restricted fees fund.

Deferred maintenance support fund (682-00-2487-2487).....No limit

Child care facility revenue bond fund (682-00-2372).....No limit

Student recreation & fitness center revenue fund (682-00-2864-2860).....No limit

Child care facility addition fund (682-00-2377-2370).....No limit

Provided, That the university of Kansas may transfer moneys during fiscal year 2019 from the restricted fees fund or the general fees fund to the child care facility addition fund for the capital improvement project to construct an addition to the child care facility: *Provided further*; That upon completion of the construction project, the university of Kansas may transfer unused moneys from the child care facility addition fund to the general fees fund or the restricted fees fund.

(c) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

(d) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2019 for a capital improvement project to construct an earth, energy, and environment center and Corbin hall.

Sec. 208.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Deferred maintenance support fund (683-00-2488-2488).....No limit

Construct parking facility #5 fund (683-00-8410-8434).....No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2018 from appropriate accounts of the parking fees fund to the construct parking facility #5 fund for such capital improvement project.

Health education building fund (683-00-8236-8237).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

Sec. 209.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Deferred maintenance support fund (683-00-2488-2488).....No limit

Construct parking facility #5 fund (683-00-8410-8434).....No limit

Provided, That the university of Kansas medical center may transfer moneys during fiscal year 2019 from appropriate accounts of the parking fees fund to the construct parking facility #5 fund for such capital improvement project.

Health education building fund (683-00-8236-8237).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

Sec. 210.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking system project – maintenance fund, K DFA revenue bonds (715-00-5159-5040).....No limit

Parking system project revenue fund – K DFA bonds (715-00-5148-5000).....No limit

WSU housing system surplus fund (715-00-5620-5270).....No limit

Deferred maintenance support fund (715-00-2489-2489).....No limit

Science research development facility K DFA revenue fund (715-00-2927).....No limit

(b) During the fiscal year ending June 30, 2018, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the

above agency that was first appropriated for any fiscal year commencing prior to July 1, 2016.

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2018, as authorized by this or other appropriation act of the 2017 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2018 for a capital improvement project to construct a parking garage.

Sec. 211.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking system project – maintenance fund, K DFA revenue bonds (715-00-5159-5040).....No limit

Parking system project revenue fund – K DFA bonds (715-00-5148-5000).....No limit

WSU housing system surplus fund (715-00-5620-5270).....No limit

Deferred maintenance support fund (715-00-2489-2489).....No limit

Science research development facility K DFA revenue fund (715-00-2927).....No limit

(b) During the fiscal year ending June 30, 2019, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2017 or 2018 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2017.

(c) In addition to the other purposes for which expenditures may be made by the

above agency from moneys appropriated from any special revenue fund or funds during the fiscal year ending June 30, 2019, as authorized by this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the above agency from any special revenue fund or funds during fiscal year 2019 for a capital improvement project to construct a parking garage.

Sec. 212.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund.....No limit

Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*, That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided, however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2018.

Sec. 213.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund.....No limit

Provided, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning and new construction, approved by the state board of regents: *Provided, however*, That

no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*, That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*, That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research: *And provided, however*, That the state board of regents shall allocate the amount of money of each such transfer to be expended by the institution using the adjusted gross square footage calculation of mission critical buildings for fiscal year 2019.

Sec. 214.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issue (521-00-1000-0310).....\$516,812

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects bond issues (521-00-8600-8170).....\$500,000

Capital improvements – rehabilitation and repair of correctional institutions (521-00-8600-8240).....\$4,000,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2018 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2018 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects bond issue (521-00-8600-8160).....\$127,400

(c) There is appropriated for the above agency from the state institutions building

fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities (521-00-8100-8000).....	\$500,113
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Provided, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2018 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2018 for capital improvement projects approved by the secretary: *Provided further*; That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility (521-00-8100-8119).....	\$3,997,000
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(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project (521-00-2834).....	No limit
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(e) In addition to the other purposes for which expenditures may be made by the department of corrections from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 or fiscal year 2018 as authorized by chapter 104 of the 2015 Session Laws of Kansas, chapters 12 or 111 of the 2016 Session Laws of Kansas, this or other appropriation act of the 2017 or 2018 regular session of the legislature, expenditures may be made by the department of corrections from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 or fiscal year 2018 for the purpose of paying the expenses incurred by the department of corrections in the preparation and execution of the lease-purchase agreement authorized by this subsection: *Provided*, That notwithstanding the provisions of section 142 of this act, sections 102 and 103 of chapter 12 of the 2016 Session Laws of Kansas, K.S.A. 75-3765b, and amendments thereto, or any other statute, the department of corrections is authorized to enter into a lease-purchase agreement with a third-party entity pursuant to which such third-party entity will design, construct and equip for the department of corrections a correctional institution in Lansing, Kansas, on real property currently owned by the state of Kansas:

Provided further, That such lease-purchase agreement shall also authorize the third-party entity to demolish the existing correctional institution in Lansing, Kansas: *And provided further*, That the Kansas development finance authority shall provide assistance to the department of corrections in the facilitation of such lease-purchase agreement: *And provided further*, That such lease-purchase agreement shall be exempt from any architectural service fees under K.S.A. 75-1269, and amendments thereto: *Provided, however*, That such lease-purchase agreement shall allow only the department of corrections to operate such correctional institution: *And provided, however*, That prior to entering into a lease-purchase agreement, the secretary of corrections shall advise and consult with the legislative budget committee: *And provided further*, That such lease-purchase agreement shall require that the third-party entity release any lien claimed under the provisions of K.S.A. 60-1101 or 60-1103, and amendments thereto, or any other encumbrance to such property, and all improvements thereon, upon the final lease payment under such agreement: *And provided further*, That the attorney general shall approve the form of the release of any lien or other encumbrance executed by such third-party entity: *Provided, however*, That if it is determined by the secretary of corrections to be more cost effective to issue bonds to demolish, design, construct and equip a correctional institution in Lansing, Kansas, expenditures may be made by department of corrections from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2017 or fiscal year 2018, to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to demolish, design, construct and equip a correctional institution in Lansing, Kansas: *Provided*, That such capital improvement project is hereby approved for the department of corrections for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That the department of corrections may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$155,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs, insurance and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund, the correctional institutions building fund, or any appropriate special revenue fund or funds: *And provided further*, That the department of corrections shall make provisions for the maintenance of a correctional institution in Lansing, Kansas: *Provided, however*, That on the effective date of this act, the department of corrections shall cease development of the lease-purchase agreement and shall request that the state building advisory commission review the progress of the department to date on the agreement: *And provided further*, That if the state building advisory commission approves of the proposed agreement, the department may continue with the use of an alternative project delivery procurement process and shall not be subject to the provisions of K.S.A. 2016

Supp. 75-37,143, and amendments thereto: *Provided, however,* That if the state building advisory commission does not approve of the proposed agreement, the department is hereby required to follow the provisions of K.S.A. 2016 Supp. 75-37,143, and amendments thereto: *Provided, however,* That no such lease-purchase agreement shall be entered into nor bonds issued until the department of corrections has first advised and consulted on any such project with the joint committee on state building construction: *And provided however,* That the lease-purchase agreement or the issuance of bonds for any such capital improvement project shall be subject to approval by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Sec. 215.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects
bond issue (521-00-1000-0310).....\$515,556

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Debt service payment for the infrastructure projects
bond issues (521-00-8600-8170).....\$500,000

Capital improvements – rehabilitation and repair of correctional institutions (521-00-8600-8240).....\$4,000,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2019 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2019 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

Debt service payment for the prison capacity expansion projects
bond issue (521-00-8600-8160).....\$127,500

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of juvenile correctional facilities (521-00-8100-8000).....	\$500,000
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Provided, That the secretary of the department of corrections is hereby authorized to transfer moneys during fiscal year 2019 from the capital improvements – rehabilitation and repair of juvenile correctional facilities account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of the department of corrections to be expended during fiscal year 2019 for capital improvement projects approved by the secretary: *Provided further*; That the secretary of the department of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Debt service – Topeka complex and Larned juvenile correctional facility (521-00-8100-8119).....	\$3,994,250
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(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility infrastructure project (521-00-2834).....	No limit
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Sec. 216.

ATTORNEY GENERAL –
KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (083-00-1000-0100).....	\$100,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

KBI lab – debt service (083-00-1000-0820).....	\$4,323,925
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Sec. 217.

ATTORNEY GENERAL –
KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (083-00-1000-0100).....	\$100,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

KBI lab – debt service (083-00-1000-0820).....	\$4,322,675
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Sec. 218.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2018, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina (280-00-2306-2004).....	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2018.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2018, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-2213-2401).....	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2018.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2018, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Topeka fleet
service (280-00-2034-1105).....\$369,450

Scale replacement and
rehabilitation and repair of
buildings (280-00-2034-1115).....\$260,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2018.

(d) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$369,450 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1105). In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2018 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2018 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2018, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy
rehabilitation and
repair (280-00-3545-3548).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2018.

(f) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$260,000 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-

2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2018 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2018 for support and maintenance of the Kansas highway patrol.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2018, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Troop F storage building (280-00-3545-3545).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2018.

Sec. 219.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2019, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training center – Salina (280-00-2306-2004).....No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2019.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2019, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-2213-2401)..... No limit

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number

fee fund for fiscal year 2019.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2019, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and repair of buildings (280-00-2034-1115).....	\$264,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2019.

(d) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$264,000 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2019 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2019 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2019, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation and repair (280-00-3545-3548).....	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2019.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2019, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Troop F storage building (280-00-3545-3545).....	No limit
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2019.

Sec. 220.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

Debt service – training
center (034-00-1000-8020).....\$474,956

Debt service – rehabilitation
and repair of the statewide
armories (034-00-1000-8010).....\$589,721

Rehabilitation and repair
projects (034-00-1000-8000).....\$161,793

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2017, is hereby reappropriated for fiscal year 2018.

Sec. 221.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

Debt service – training
center (034-00-1000-8020).....\$475,659

Debt service – rehabilitation
and repair of the statewide
armories (034-00-1000-8010).....\$595,518

Rehabilitation and repair
projects (034-00-1000-8000).....\$161,955

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2018, is hereby reappropriated for fiscal year 2019.

Sec. 222.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- State fair capital improvements fund (373-00-2533-2500).....No limit
- State fair fee fund (373-00-5182-5100).....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,782.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2018, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2018, for the capital improvement project or projects specified, the following:

- State fair debt service (373-00-1000-0700).....\$850,150

Sec. 223.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- State fair capital improvements fund (373-00-2533-2500).....No limit
- State fair fee fund (373-00-5182-5100).....No limit

Provided, That expenditures from the state fair fee fund for official hospitality shall not exceed \$15,782.

(b) On or before the 10th of each month during the fiscal year ending June 30, 2019, the director of accounts and reports shall transfer from the state general fund to the state

fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2019, for the capital improvement project or projects specified, the following:

State fair debt
service (373-00-1000-0700).....\$855,750

Sec. 224.

KANSAS DEPARTMENT OF
WILDLIFE, PARKS AND TOURISM

(a) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2017, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2017 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Woodson county dam repair.....\$360,000

Sec. 225.

KANSAS DEPARTMENT OF
WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2018, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road
fund (710-00-2178-2760).....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance
fund (710-00-2045-2070).....No limit

Office of the secretary building
fund.....No limit

(b) On July 1, 2017, or as soon thereafter as moneys are available, the director of

accounts and reports shall transfer \$3,305,509 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(c) On July 1, 2017, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....\$34,250

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2018.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects (710-00-2122-2066).....\$1,200,000

Debt service – Kansas City district office (710-00-2122-2053).....\$27,600

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2018.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office (710-00-2245-2805).....\$12,190

River access (710-00-2245-2830).....\$25,000

Coast guard boating projects (710-00-2245-2840).....	\$50,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2018.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....	\$300,000
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Land acquisition (710-00-2300-3040).....	\$400,000
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Federally mandated boating access (710-00-2300-4360).....	\$137,500
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Debt service – Kansas City office (710-00-2300-2890).....	\$64,607
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Rehabilitation and repair (710-00-2300-3262).....	\$1,291,750
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Woodson County dam repair.....	\$2,200,000
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Clark fishing lake dam repair.....	\$600,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2018.

(h) In addition to other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....	\$300,000
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Provided, That all expenditures from each such capital improvement account shall be

in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2018.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development (710-00-3418-3420).....\$450,000

Rehabilitation and repair (710-00-3418-3422).....\$1,103,250

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2018.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$996,000

Federally mandated boating access (710-00-3490-3492).....\$1,016,250

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2018.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$200,000

Provided, That all expenditures from each such capital improvement account shall be

in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2018.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation development (710-00-3794-3794).....\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2018.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2018.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2018, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....\$645,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2018.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2018, expenditures may be made by the above agency from the following capital

improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2018 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....\$100,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2018.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, and recreation resource management fund for fiscal year 2018, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2018 from the unencumbered balance as of June 30, 2017, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2017: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2018 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2018.

Sec. 226.

KANSAS DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2019, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760).....No limit

Provided, That, in addition to other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of

transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070).....	No limit
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Office of the secretary building fund.....	No limit
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(b) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,295,053 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife, parks and tourism.

(c) On July 1, 2018, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife, parks and tourism.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....	\$30,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2019.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects (710-00-2122-2066).....	\$1,200,000
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Debt service – Kansas City district office (710-00-2122-2053).....	\$29,100
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2019.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – Kansas City district office (710-00-2245-2805).....	\$12,690
River access (710-00-2245-2830).....	\$25,000
Coast guard boating projects (710-00-2245-2840).....	\$50,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2019.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....	\$300,000
Land acquisition (710-00-2300-3040).....	\$400,000
Federally mandated boating access (710-00-2300-4360).....	\$408,750
Debt service – Kansas City office (710-00-2300-2890).....	\$72,607
Rehabilitation and repair (710-00-2300-3262).....	\$632,500
State fishing lake projects (710-00-2300-4320).....	\$125,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2019.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....\$300,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2019.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition and development (710-00-3418-3420).....\$450,000

Rehabilitation and repair (710-00-3418-3422).....\$1,065,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for fiscal year 2019.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$990,000

Federally mandated boating access (710-00-3490-3492).....\$1,226,250

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2019.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$200,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2019.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation
development (710-00-3794-3794).....\$375,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2019.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails
program (710-00-3238-3238).....\$400,000

Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program fund for fiscal year 2019.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvements.....	\$594,500
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2019.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2019, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2019 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-3251-3251).....	\$100,000
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Provided, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2019.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, and recreation resource management fund for fiscal year 2019, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2019 from the unencumbered balance as of June 30, 2018, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2018: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2019 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2019.

Sec. 227. On and after July 1, 2017, K.S.A. 2016 Supp. 2-223 is hereby amended to read as follows: 2-223. (a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and

maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of ~~subsection (b)~~ of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) On each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that:

(1) For the fiscal year ending June 30, ~~2016~~ 2018, notwithstanding the other provisions of this section, on March 1, ~~2016~~ 2018, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2016~~ 2018 from state fair activities and non-fair days activities through March 1, ~~2016~~ 2018, except that, subject to approval by the director of the budget prior to March 1, ~~2016~~ 2018, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2016~~ 2018, the state fair board may certify an amount on March 1, ~~2016~~ 2018, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2016~~ 2018, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2016~~ 2018. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification; and

(2) for the fiscal year ending June 30, ~~2017~~ 2019, notwithstanding the other provisions of this section, on March 1, ~~2017~~ 2019, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2017~~ 2019 from state fair activities and non-fair days activities through March 1, ~~2017~~ 2019, except that, subject to approval by the director of the budget prior to March 1, ~~2017~~ 2019, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2017~~ 2019, the state fair board may certify an amount on March 1, ~~2017~~ 2019, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service

payment due on April 1, ~~2017~~ 2019, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2017~~ 2019. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

(c) On each July 1, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund, an amount equal to the amount certified by the state fair board pursuant to subsection (b), except that: (1) No transfer from the state general fund under this subsection shall exceed \$300,000 in any fiscal year except for the fiscal years ending June 30, ~~2016~~ 2018, and June 30, ~~2017~~ 2019, the transfer shall not exceed \$100,000.

Sec. 228. On and after July 1, 2017, K.S.A. 2016 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2016 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On ~~July 1, 2016, on July 1, 2017, and on July 1, 2018, and July 1, 2019~~, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 2016 Supp. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 2016 Supp. 74-8959, and amendments thereto, to the contrary, during fiscal year ~~2016, fiscal year 2017, and fiscal year 2018, fiscal year 2019, and fiscal year 2020~~, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 11, 2016, January 9, 2017, and January 8, 2018, January 14, 2019, and January 13, 2020~~, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 229. On and after July 1, 2017, K.S.A. 2016 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city which, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 2016 Supp. 72-6470, and amendments thereto, within such redevelopment district. Except as provided further, prior to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and

shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years 2018, 2019 and 2020, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 230. On and after July 1, 2017, K.S.A. 2016 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15th day of each calendar quarter thereafter before July 1, 2020, the director of accounts and reports shall transfer \$100,000 from the state general fund and \$200,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that no transfer shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during state fiscal year ~~2016 or 2018~~, state fiscal year ~~2017~~ 2019, or state fiscal year 2020.

Sec. 231. On and after July 1, 2017, K.S.A. 2016 Supp. 68-2320 is hereby amended to read as follows: 68-2320. (a) On and after July 1, 1991, the secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$890,000,000.

(b) In addition to the provisions of subsection (a), on and after July 1, 1999, the secretary of transportation is hereby authorized and empowered to issue bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. The secretary is hereby authorized to issue bonds the total principal amount of which shall not exceed \$1,272,000,000.

(c) (1) In addition to the provisions of subsections (a) and (b), on and after July 1, 2010, the secretary of transportation is hereby authorized and empowered to issue additional bonds of the state of Kansas, payable solely from revenues accruing to the state highway fund and transferred to the highway bond debt service fund and pledged to their payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in this state and to pay all expenses incidental thereto and to the bonds. On and after the effective date of

this act, except as provided further, no bonds shall be issued by the secretary pursuant to this subsection unless the secretary certifies that, as of the date of issuance of any such series of additional bonds, the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, including the bonds to be issued on such date, will not exceed 18% of projected state highway fund revenues for the current or any future fiscal year. ~~During the fiscal year ending June 30, 2017, the limitation on the amount of the maximum annual debt service on all outstanding bonds issued pursuant to this section and K.S.A. 68-2328, and amendments thereto, for the purpose of issuing any such series of additional bonds authorized by the secretary is 19% of projected state highway fund revenues for the current or any future fiscal year. During the fiscal year ending June 30, 2018, and the fiscal year ending June 30, 2019, the limitation on the amount of the maximum total amount of principal on all outstanding bonds issued pursuant to this subsection and K.S.A. 68-2328, and amendments thereto, for the purpose of issuing any such series of additional bonds authorized by the secretary shall be \$1,700,000,000 of the total principal for the transportation works for Kansas program authorized under K.S.A. 2016 Supp. 68-2314b et seq., and amendments thereto.~~ The provisions of this section relating to limitations of bonded indebtedness shall not in any way impair the rights and remedies of the holders of any bonds issued prior to the effective date of this act.

(2) As used in this subsection:

(A) "Maximum annual debt service" means the maximum amount of debt service requirements on all outstanding bonds for the current or any future fiscal year;

(B) "debt service requirements" means, for each fiscal year, the aggregate principal and interest payments required to be made during such fiscal year on all outstanding bonds, including the additional bonds to be issued, less any interest subsidy payments expected to be received from the federal government, less any principal and interest payments irrevocably provided for from a dedicated escrow of United States government securities;

(C) "projected state highway fund revenues" means all revenues projected by the secretary of transportation to accrue to the state highway fund for the current or any future fiscal year; and

(D) "fiscal year" means the fiscal year of the state.

(3) Debt service requirements for variable rate bonds outstanding or proposed to be issued for the current or any future fiscal year for which the actual interest rate cannot be determined on the date of calculation shall be deemed to bear interest at an assumed rate equal to the average of the SIFMA swap index, or any successor variable rate index, for the immediately preceding five calendar years plus 1% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs; except that, debt service requirements for variable rate bonds that are hedged pursuant to an interest rate exchange or similar agreement that results in synthetic fixed rate debt shall be deemed to bear interest at the synthetic fixed rate plus .5% and an amount determined by the secretary that represents the then current reasonable annual ancillary costs associated with variable rate debt, including credit enhancement, liquidity and remarketing costs.

(4) Projected state highway fund revenues for the current or any future fiscal year for which the actual revenues cannot be determined on the date of calculation shall be

deemed to be the actual revenues for the most recently completed fiscal year, adjusted in each subsequent fiscal year by a percentage equal to the historical average annual increase or decrease in revenues for the five fiscal year period prior to the current fiscal year, and further adjusted to take into account any increases or decreases in the statutory rates of any taxes or other charges or transfers that comprise a portion of the revenues.

(d) In accordance with procurement statutes, the secretary may contract with financial advisors, attorneys and such other professional services as the secretary deems necessary to carry out the provisions of this act, and to do all things necessary or convenient to carry out the powers expressly granted in this act.

Sec. 232. On and after July 1, 2017, K.S.A. 2016 Supp. 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same

to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be

10.81%, except as provided by section 37(b) of 2017 Senate Substitute for Substitute for House Bill No. 2052, and amendments thereto, for the participating employers under K.S.A. 74-4931, and amendments thereto; ~~and (F) for the fiscal year commencing in calendar year 2017, the employer rate of contribution shall be 12.01% and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsection (17); and (G) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsections (17) and (18).~~ As used in this subsection, "capitalized interest" means interest payments on the bonds that are pre-funded or financed from bond proceeds as part of the issue for a specified period of time in order to offset one or more initial debt service payments.

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2016 Supp. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 2016 Supp. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 2016 Supp. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 2016 Supp. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of

the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

(17) The actuarial cost of the reduction of employer contributions for eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, pursuant to the provisions of section 37 of 2017 Senate Substitute for Substitute for House Bill No. 2052, and amendments thereto, shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2018.

(18) The actuarial cost of \$194,022,683 shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2020.

Sec. 233. On and after July 1, 2017, K.S.A. 2016 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing July 1, ~~2015~~ 2017, and on the first day of each month thereafter during ~~fiscal year 2016, fiscal year 2017, and fiscal year 2018, fiscal year 2019, and fiscal year 2020~~, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 2016 Supp. 74-50,224, and amendments thereto. ~~During fiscal years 2016 and 2017, no moneys shall be credited to the job creation fund pursuant to the subsection for such fiscal year.~~ During fiscal year 2018, ~~fiscal year 2019, and fiscal year 2020~~, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$3,500,000 for each such fiscal year.

(b) Commencing July 1, ~~2018~~ 2020, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 2016 Supp. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount to the credit of the job creation program fund created pursuant to K.S.A. 2016 Supp. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 234. On and after July 1, 2017, K.S.A. 2016 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 2016 Supp. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (d)(2), (d)(3); or (h), ~~(i) or (j)~~, for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) (A) For ~~fiscal year 2016, fiscal year 2017 and~~ fiscal year 2018, the first \$1,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees, shall be transferred by the director of accounts and reports from the state general fund to the following: The center of innovation for biomaterials in orthopaedic research – Wichita state university fund.

(B) There is hereby established in the state treasury the center of innovation for

biomaterials in orthopaedic research – Wichita state university fund which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) (A) ~~For fiscal year 2016, fiscal year 2017 and~~ fiscal year 2018, the next \$5,000,000 that the secretary of revenue certifies to the state treasurer of the annual 95% of withholding above the base, upon Kansas wages paid by bioscience employees above the first \$1,000,000 certified pursuant to subsection (d)(2)(A), shall be transferred by the director of accounts and reports from the state general fund to the following: The national bio agro-defense facility fund at Kansas state university.

(B) There is hereby established in the state treasury the national bio agro-defense facility fund which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

~~(h) During the fiscal year ending June 30, 2016, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$6,997,663 for such fiscal year.~~

~~(i) During the fiscal year ending June 30, 2017, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$6,000,000 for such fiscal year.~~

~~(j) During the fiscal year ending June 30, 2018, the aggregate amount that is directed to be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1) plus interest earnings pursuant to subsection (d)(1) shall not exceed \$6,000,000 for such fiscal year.~~

(i) During fiscal years 2019 and 2020, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection

(d)(1).

Sec. 235. On and after July 1, 2017, K.S.A. 2016 Supp. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill which is passed during a regular session of the legislature and which appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, 2018, and the fiscal year ending June 30, 2019, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2015 or 2016~~ 2017 or 2018 regular session of the legislature.

Sec. 236. On and after July 1, 2017, K.S.A. 2016 Supp. 76-775 is hereby amended to read as follows: 76-775. (a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 2016 Supp. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2016, June 30, 2017, and June 30, 2018,~~ June 30, 2019, and June 30, 2020, shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such

eligible educational institutions. The state board of regents shall pay from the faculty of distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts which may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section and amendments thereto for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 237. On and after July 1, 2017, K.S.A. 2016 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2016 Supp. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 2016 Supp. 76-7,104, and amendments thereto, during the fiscal-year years ending ~~June 30, 2016, June 30, 2017, and~~ June 30, 2018, June 30, 2019, and June 30, 2020, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 238. On and after July 1, 2017, K.S.A. 2016 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts which in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years, ~~2016, 2017 and~~

2018, 2019 and 2020; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2019~~ 2021 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund, except that all such transfers during fiscal year ~~2019~~ 2021 shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) Sixty-five percent of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) thirty-five percent of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 239. On and after July 1, 2017, K.S.A. 2016 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts which in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2016, 2017 and 2018,~~ 2019, and 2020. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 240. On and after July 1, 2017, K.S.A. 2016 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 2016 Supp. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2016, state fiscal year 2017, or state fiscal year 2018,~~ state fiscal year 2019, or state fiscal year 2020; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund; ~~and~~ (4) ~~(A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2016, 2017 and 2018 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425e, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425e, and amendments thereto: (i) The following~~

amounts shall be added to the apportionment and payment to be paid to the following counties: ~~Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57; Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county, \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c, and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2012, 2013, 2014, 2015 and 2016, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(4)(A); and (C) acceptance of the payments made pursuant to this~~

~~subsection (a)(4) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009.~~

Sec. 241. On and after July 1, 2017, K.S.A. 2016 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2016, June 30, 2017, or June 30, 2018, June 30, 2019, or June 30, 2020.~~ On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 2016 Supp. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 2016 Supp. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 242. On and after July 1, 2017, K.S.A. 2016 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 2016 Supp. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than $\frac{1}{2}$ of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund which are created by this section.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 which in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. No moneys shall be transferred from the state economic development initiatives fund to the state water plan fund on such dates during ~~state fiscal year 2016, state fiscal year 2017 and state fiscal year 2018, state fiscal year 2019, and state fiscal year 2020.~~ No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance, which meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 243. On and after July 1, 2017, K.S.A. 2016 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, one-half of such amount to be transferred on July 15 and one-half to be transferred on January 15, ~~except that no moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years year ending June 30, 2016, June 30, 2017, and June 30, 2018, the transfer shall not exceed \$1,200,000. No moneys shall be transferred from the state general fund to the state water plan fund during the fiscal years ending June 30, 2019, and June 30, 2020.~~

Sec. 244. On and after July 1, 2017, K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256,

55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a are hereby repealed.

Sec. 245. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 246. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 247. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 248. *Savings.* (a) Any unencumbered balance as of June 30, 2017, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2018 by this or any other appropriation act of the 2017 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2018, for the same use and purpose as the same was heretofore appropriated.

(b) Any unencumbered balance as of June 30, 2018, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2019 by this act or any other appropriation act of the 2017 or 2018 regular session of the legislature, is hereby appropriated for the fiscal year ending June 30, 2019, for the same use and purpose as the same was heretofore appropriated.

(c) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund, or the correctional institutions building fund, or to any account of any of such funds.

Sec. 249. (a) During the fiscal year ending June 30, 2018, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2017 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2018, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(b) During the fiscal year ending June 30, 2019, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise

specifically appropriated or limited by this or other appropriation act of the 2017 or 2018 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2019, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund.

(c) As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority, for the payment of debt service for bonds issued by the Kansas development finance authority, or for any related purpose in accordance with applicable bond covenants.

Sec. 250. *Federal grants.* (a) During the fiscal year ending June 30, 2018, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2018 by this or other appropriation act of the 2017 regular session of the legislature, is hereby appropriated for fiscal year 2018, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) During the fiscal year ending June 30, 2019, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2019 by this or other appropriation act of the 2017 or 2018 regular session of the legislature, is hereby appropriated for fiscal year 2019 for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, for fiscal year 2019, until the governor has authorized the state agency to make expenditures from such federal grant or other federal receipt for fiscal year 2019.

(c) In addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2018 and fiscal year 2019 by this act or any other appropriation act of the 2017 or 2018 regular session of the legislature to apply for and receive federal grants during fiscal year 2018 and fiscal year 2019, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

Sec. 251. (a) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2017 regular session of the legislature, and having an unencumbered balance as of June 30, 2017, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2018, for the same uses and purposes as originally appropriated unless specific

provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2016.

(b) (1) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2017 or 2018 regular session of the legislature, and having an unencumbered balance as of June 30, 2018, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2019, for the same uses and purposes as originally appropriated unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2017.

Sec. 252. (a) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2017 regular session of the legislature and having an unencumbered balance as of June 30, 2017, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2018, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2016.

(b) (1) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2017 or 2018 regular session of the legislature and having an unencumbered balance as of June 30, 2018, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2019, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2017.

Sec. 253. (a) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2017 regular session of the legislature and having an unencumbered balance as of June 30, 2017, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2018, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2016.

(b) (1) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2017 or 2018 regular session of the legislature and having an unencumbered balance as of June 30, 2018, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2019, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(2) This subsection shall not apply to the unencumbered balance in any account of

the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2017.

Sec. 254. (a) Any transfers of money during the fiscal year ending June 30, 2018, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2018.

(b) Any transfers of money during the fiscal year ending June 30, 2019, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2019.";

And by renumbering remaining sections accordingly;

On page 1, in the title, by striking all in lines 2 through 11; in line 12, by striking all before the period and inserting "June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections";

And your committee on conference recommends the adoption of this report.

CAROLYN MCGINN

RICK BILLINGER

LAURA KELLY

Conferees on part of Senate

TROY WAYMASTER

ERIN DAVIS

KATHY WOLFE MOORE

Conferees on part of House

On motion of Rep. Waymaster, the conference committee report on **S Sub for HB 2002** was adopted.

On roll call, the vote was: Yeas 88; Nays 27; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alford, Arnberger, Baker, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Clark, Clayton, Concannon, Cox, Crum, S., Curtis, E. Davis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Finney, Francis, Frownfelter, Gallagher, Gartner, Good, Hibbard, Highberger, Hineman, Hodge, Holscher, Jennings, Johnson, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Phelps, Phillips, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Smith, A., Smith, E., Stogsdill, S. Swanson, Tarwater, Thimesch, Thompson, Trimmer, Vickrey, Ward, Waymaster,

Weigel, Wheeler, Whipple, K. Williams, Wilson, Wolfe Moore.

Nays: Alcalá, Awerkamp, Blex, Burris, B. Carpenter, Claeys, Corbet, Delperdang, Dove, Esau, Garber, Hawkins, Helgeson, Henderson, Highland, Hoffman, Houser, Jacobs, K. Jones, Mason, Miller, Osterman, R. Powell, Sutton, Victors, Weber, C., Winn.

Present but not voting: None.

Absent or not voting: Aurand, Barker, Huebert, Humphries, Landwehr, Pittman, Ruiz, Sloan, Whitmer.

EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **S Sub for HB 2002**. The refusal to refund the money taken from Barbara Reese is inexcusable. I am a person of principle, and there is no reason – or excuse – for the removal of this portion of the bill in the eleventh hour. This woman has been waiting for 20 years, and we had the opportunity to do right by her today, and we failed her. For that, I cannot support this measure. Thank you, Mr. Speaker. – JOHN ALCALÁ, VIC MILLER, HENRY HELGERSON

MR. SPEAKER: We vote no on **S Sub for HB 2002**. After the passage of the massive tax increase on the backs of Kansas citizens, this budget was expected, but it's not something celebrate. Spending at a rate four times the rate of inflation, it takes us back to an era of uncontrolled spending and big government. It spends so much that even with the tax hike, we're back in the red before we reach the year 2020. Most Kansans want us to reduce spending, or at least hold the line. The spending spree in this budget is not prudent, and we vote “No.” – RANDY POWELL, KEITH ESAU, JESSE BURRIS, LEO DELPERDANG, TREVOR JACOBS, FRANCIS AWERKAMP, KYLE HOFFMAN, BILL SUTTON, KEVIN JONES, DOUG BLEX, RON HIGHLAND, LESLIE OSTERMAN, MIKE HOUSER, BLAKE CARPENTER, KEN CORBET, CHUCK WEBER, RANDY GARBER

MR. SPEAKER: I vote No on **S Sub for HB 2002**. As a woman, I know the way she was treated because I also have had this experience. I feel her plight, and I will stand beside her in support. I vote No for Barbara Reese. Thank you, Mr. Speaker. – PONKA-WE VICTORS

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Hineman, **HCR 5016**, by Representatives Ryckman, Hineman and Ward, as follows, was introduced and emergency adopted.

HCR 5016 – A CONCURRENT RESOLUTION relating to the 2017 regular session of the legislature and providing for an adjournment thereof.

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on June 10, 2017, until the hour of 10:00 a.m. on June 26, 2017, at which time the legislature shall reconvene and shall continue in session until sine die adjournment at the close of business on June 26, 2017; and

Be it further resolved: That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative

administrative services for such purpose shall attend their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

Be it further resolved: That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day during this period of adjournment; and

Be it further resolved: That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the President of the Senate, the Speaker of the House of Representatives or the Legislative Coordinating Council during this period of adjournment, shall receive compensation and travel expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

REPORT ON ENGROSSED BILLS

HB 2212 reported correctly engrossed June 10, 2017.

HB 2407 reported correctly reengrossed June 10, 2017.

On motion of Rep. Hineman, the House adjourned until 10:00 a.m., Monday, June 26, 2017.

Journal of the House

EIGHTY-NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Monday, June 26, 2017, 10:00 a.m.

The House met pursuant to **HCR 5016** with Speaker Ryckman in the chair.

COMMUNICATIONS FROM STATE OFFICERS

I, KRIS KOBACH, Secretary of State of the State of Kansas, do hereby certify that Jason Probst was appointed by the Governor effective June 26, 2017, for the unexpired term of State Representative for the 102nd Legislative District, to fill the vacancy created by the death of Patsy Terrell, and was administered the following oath of office on June 26, 2017.

State of Kansas
County of Shawnee}SS:

I, Jason Probst, do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of Kansas House of Representatives, District 102, so help me God.

Subscribed and Sworn to, or Affirmed, before me this 26th day of June, 2017.

BRYAN A. CASKEY
Deputy Assistant Secretary of State

The House is now organized with 125 members.

Prayer by guest chaplain, The Rev. Dr. Neil Weatherhogg, pastor emeritus, First Presbyterian Church, Topeka:

“This is the day the Lord has made. Let us rejoice and be glad in it.”
We do rejoice, almighty God, not only in this day but all the days of our lives and the blessings you bestowed thereon. We rejoice that we live in a land of laws, a land of freedoms guaranteed, a land of democracy that honors the voice of the people.

We rejoice in the work that this legislature has accomplished, giving thanks for those who sit at desks, who stand to speak their convictions, who work with colleagues across the aisle, who seek to mold this state to become to all its citizens what it has been to some. And we give you thanks for those who labor behind the scenes, without whom this

legislative body could not function.

We are grateful for this grand State of Kansas in which we live and work and serve; for its expansive prairies and high plains; its farm lands, ranch lands and lowlands; its smoky hills and flint hills; its bustling cities and quiet towns; its people—diverse, dedicated, hard-working, young and old, privileged and poor. Remind us, ever-loving God, of our continued opportunities and responsibilities to be servants of all who inhabit this good land and to walk beside those whose adverse circumstances have dropped life's song into a minor key.

As this body leaves its official duties behind and the slackened pace of summer approaches, we ask that you fill our hearts with laud and laughter; fill our days with joy and gladness; and fill our lives with meaningful work and carefree play. Enable us to be bearers of your grace, harbingers of hope, and purveyors of love that we may welcome each day with anticipation, knowing that you are God of all and Lord over all. Amen.

The Pledge of Allegiance was led by Rep. Weber.

PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Wilson are spread upon the Journal:

At around this time five years ago, my wife and I were weeks away from the arrival of our first son, Parker. We were in the midst of all of the last-minute things all first-time parents do—installing car seats, organizing the nursery, preparing to rush to the hospital at a moment's notice--and kicking off a campaign for State Representative.

Fast forward to last fall. My wife and I welcomed our second child, Henry, to this world. Yet again, I was in the midst of a campaign. I don't have to spend any time explaining to this body how much time and energy it takes to run a successful campaign—even if you're unopposed like me.

In between campaigns, of course, are the Legislative sessions which include early mornings, late nights, and weekends—especially those beautiful Kansas summer weekends that are perfect for going to the pool with your family, taking walks and bike rides, enjoying coffee on the porch, and gathering with friends.

I'm lucky that I can go home every night to be with my family. However, even though I might physically be at home, my attention and energy is divided—fragmented—between my work responsibilities, my legislative responsibilities, and most importantly, my family responsibilities. As a result, I'm not able to excel or go all in on any one of those areas of my life.

That's why this will be my last session representing the people of the 10th district in the Kansas Legislature. This is not a decision that I take lightly. In fact, now is a great time to serve in the Legislature...it's just not a great time for me.

There is a reason there are not a lot of 30 something lawmakers like me in Kansas or around the country. We are starting our families and building our careers. And, let's be honest, how many employers are as generous as mine has been to let me work part-time for five-six months every single year. Not many.

Being a State Representative has been a real honor. Do you know what I'll miss the most? It's not the "garden-level" office? It's not the endless supply of donuts, bit o'honey's, and black coffee. It's not the eye rolls when I speak up in committee or on the floor about making healthy decisions. It's not the seemingly unchecked power of being a Democrat in the Kansas Legislature. Do you know what I'll miss the most and is truly one of the hardest things for me to give up? It's being in a position to model the behaviors I expect to see in our elected officials. Working across the aisle. Putting policy above politics. Assuming good intent. But then I realized that these are qualities that we need outside of the statehouse too.

I might be finished with my term as a legislator, but I am not finished with public service and working to do the best for Kansas kids.

John Wilson
10th District

INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hineman, **HR 6037**, by Reps. Ryckman, Hineman and Ward, as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6037**—

HR 6037— A RESOLUTION relating to assignment of seats of the House of Representatives.

Be it resolved by the House of Representatives of the State of Kansas: That the members of the 2017 regular session of the legislature shall occupy the same seats assigned pursuant to 2017 House Resolution No. 6036 with the following exception: Probst seat No. 71.

MESSAGES FROM THE GOVERNOR

HB 2079, Sub HB 2230 approved on June 15, 2017.

HB 2409 approved on June 16, 2017.

HB 2212, HB 2407, HB 2426 approved on June 22, 2017.

The following message from the Governor regarding **S Sub HB 2278**, which will become law without the Governor's signature, was received and read.

MESSAGE FROM THE GOVERNOR REGARDING SENATE SUBSTITUTE FOR HOUSE BILL 2278

The right to bear arms is essential towards preserving our freedoms and maintaining self-government. As Governor, that is why I have signed numerous pieces of legislation defending this inherent right of Kansans. I also share a common goal with every member of the Kansas Legislature—to keep the people of Kansas safe and ensure their constitutional rights are protected.

In effort to preserve these protections while balancing concerns from state mental health hospitals and various medical organizations, I assembled stakeholders to negotiate a compromise. An idea was put forward that preserved the constitutional rights of our citizens while accounting for the logistical and safety concerns of state

mental health hospitals. I endorsed this compromise. Ultimately, however, this compromise was rejected by health care representatives.

This bill as passed allows for a restriction on the second amendment rights of Kansans without ensuring adequate safety measures are taken to protect those who visit or work in our public hospitals. Kansans should not be forced to subject themselves to greater risk while giving up their right to protect themselves. Second amendment rights do not disappear when walking through the doors of a hospital or medical facility. Those facilities, owned or operated by the state or local government, have a heightened responsibility to ensure the safety of patients, visitors, and employees alike.

Nevertheless, this bill does address the safety concerns at state mental health hospitals, appropriately restricting the ability to conceal carry in state mental health hospitals—a measure that has wide and bipartisan support. Because I support the effort to provide state mental health hospitals authority to restrict concealed carry in certain facilities, I will not exercise my constitutional authority to veto this bill.

I remain committed to ensuring the right of Kansans to bear arms throughout our state, and I encourage the legislature to continue its efforts to find a better balance between the safety concerns raised by some hospitals and the legitimate concerns of citizens preferring the ability to protect themselves or avail themselves of the adequate security measures taken by our public health facilities.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I will allow Senate Substitute for House Bill 2278 to become law without my signature.

Dated: June 15, 2017

SAM BROWNBACK
Governor of Kansas

The following message with the Governor's objection to **HB 2313**, AN ACT concerning gaming; dealing with lottery ticket vending machines and revenues derived therefrom; dealing with instant bingo vending machines; concerning certain debt setoff agreements; amending K.S.A. 74-8719 and K.S.A. 2016 Supp. 74-8702, 74-8723, 75-5173, 75-6202, 75-6204 and 74-8711 and repealing the existing sections.; was received and read.

**MESSAGE FROM THE GOVERNOR
REGARDING VETO OF HOUSE BILL 2313**

The people who operate the Kansas Lottery do an outstanding job. I cannot, however, support this expansion of the lottery.

The Kansas Lottery has a disproportionately negative effect on low income Kansans. Rather than investing limited resources in games of chance, our goal is to help low income Kansans find a path to self-reliance and independence through education, work, and savings.

Given that the state is the only entity allowed to operate a lottery in Kansas, we have a higher standard of care concerning the management and implementation of the lottery. The state should not encourage behavior that undermines our efforts to encourage upward economic mobility and long term financial security and thrift.

Accordingly, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto House Bill 2313.

Dated: June 15, 2017

SAM BROWNBACK
Governor of Kansas

The following message with the Governor's objection to **S Sub for HB 2002**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections., was received and read.

**MESSAGE FROM THE GOVERNOR
REGARDING SENATE SUBSTITUTE FOR HOUSE BILL 2002**

This budget, passed on the 113th day of the legislative session, unnecessarily increases government spending in several areas and fails to adopt common sense cost saving measures identified by the legislature's own efficiency study. However, I am signing the budget, despite my concerns about excessive spending, to avoid a break in core functions of government and to provide state workers with well-deserved pay increases."

Pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return 2017 Senate Substitute for House Bill 2002 with my signature approving the bill, except for the items enumerated below.

Home and Community Based Services Integration Proviso

Section 174 is vetoed in its entirety.

There appear to be two specific reasons for legislative intent regarding insertion of this proviso into the budget. The first is the desire for Legislative approval prior to any integration or consolidation of the Home and Community Based Services (HCBS) waivers. The second is to require Legislative approval prior to any changes being made in the intake, assessment or referral services for the Intellectually and Developmentally Disabled (I/DD) waiver. Mindful of the long-term impact that policy changes have on Kansans served through the HCBS waivers, my administration will not integrate or consolidate the Medicaid HCBS waivers, nor will we make substantive changes to the intake/assessment/referral system for the HCBS I/DD waiver, without meaningful engagement with stakeholders and approval from the Legislature. This proviso is being vetoed because of concerns over the broad nature of the proviso language and its

potential to limit changes to non-HCBS programs at the Kansas Department for Aging and Disability Services (KDADS). The proviso language encompasses all KDADS programs in addition to HCBS services and includes medical services, behavioral health services, transportation, nursing facility and other long-term care services. The proviso could impact any policy change that might be defined as altering a structure, which is the case for most policy changes. For example, a policy change that could provide better mental health services could be viewed as a structural change and limit the state's ability to implement the change without legislative approval.

Kansas Department for Aging and Disability Services

Clubhouse Rehabilitation Services

Section 99-(q) and Section 100-(o) are vetoed in their entirety.

House Bill 2313, which I vetoed, authorized moneys in the Lottery Operating Fund to be used for transfers to the Clubhouse Model Program Fund of the Kansas Department for Aging and Disability Services. This budget established a Special Revenue Fund to receive the transfer of these funds and directed KDADS to provide Medicaid reimbursement for Clubhouse Rehabilitation Services and to enter into contracts with certified Clubhouse Providers for such services. Since there will not be a transfer made from the Lottery Operating Fund to the Clubhouse Model Program Fund, the State General Fund would incur all costs associated with this new program and this was not included in the budget. I have directed KDADS to work with the Community Mental Health Centers to establish a pilot with Clubhouse Model Program providers in fiscal year 2018 in order to expand the scope of this program.

Dated: June 24, 2017

SAM BROWNBACK
Governor of Kansas

CONSIDERATION OF VETO

The Governor's objection to **HB 2313** having been read, the time arrived for reconsideration of **HB 2313**, AN ACT concerning gaming; dealing with lottery ticket vending machines and revenues derived therefrom; dealing with instant bingo vending machines; concerning certain debt setoff agreements; amending K.S.A. 74-8719 and K.S.A. 2016 Supp. 74-8702, 74-8723, 75-5173, 75-6202, 75-6204 and 74-8711 and repealing the existing sections.

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

CONSIDERATION OF VETO

The Governor's line item objections to **S Sub for HB 2002** having been read, the time arrived for reconsideration of **S Sub for HB 2002**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2017, June 30, 2018, June 30, 2019, June 30, 2020, June 30, 2021, and June 30, 2022, for state agencies;

authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2016 Supp. 2-223, 12-1775a, 12-5256, 55-193, 68-2320, 74-4920, as amended by section 43 of 2017 Senate Substitute for Substitute for House Bill No. 2052, 74-50,107, 74-99b34, 75-6702, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections.

There was no motion to reconsider the line items. The Chair ruled the line items had been reconsidered and the veto sustained.

COMMUNICATIONS FROM STATE OFFICERS

From Randy Peterson, Chair, and Michael Randol, Director of DHCF, Kansas Department of Health and Environment, Report of the Health Care Access Improvement Panel, Annual Report.

From Ruth Glover, Executive Director, Kansas Human Rights Commission, pursuant to K.S.A. 44-1004(13); Annual Report Fiscal Year 2016.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5016**.

REPORT ON ENGROSSED BILLS

S Sub for HB 2002 reported correctly engrossed June 12, 2017.

REPORT ON ENROLLED BILLS

S Sub for HB 2002, HB 2212, HB 2407, HB 2426 reported correctly enrolled, properly signed and presented to the Governor on June 15, 2017.

REPORT ON ENROLLED RESOLUTIONS

HCR 5016, HR 6037 reported correctly enrolled and properly signed on June 26, 2017.

The hour for final adjournment having arrived, Speaker Ryckman announced, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2017 session, I do now declare the House adjourned sine die."

TITLE AND HISTORY
OF
HOUSE BILLS
AND
HOUSE RESOLUTIONS

TITLE AND HISTORY OF HOUSE BILLS

- H 2001** Bill by Legislative Post Audit Committee
Eliminating the reporting requirements for law enforcement agencies concerning civil asset seizures and forfeitures.
 01/09/2017 House—Prefiled for Introduction on Monday, December 05, 2016—HJ 44
 01/09/2017 House—Introduced—HJ 44
 01/10/2017 House—Referred to Committee on Judiciary—HJ 57
 01/18/2017 House—Hearing: Monday, January 23, 2017, 03:30 PM Room 112-N
- H 2002** Bill by Legislative Post Audit Committee
Senate Substitute for HB 2002 by Committee on Ways and Means – Appropriations for FY 2017, FY 2018, FY 2019, FY 2020, FY 2021 and FY 2022 for various state agencies; capital improvement projects; claims against the state; omnibus appropriation act.
 01/09/2017 House—Prefiled for Introduction on Monday, December 05, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Appropriations—HJ 56
 01/18/2017 House—Hearing: Monday, January 23, 2017, 09:00 AM Room 112-N
 01/24/2017 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 104
 02/01/2017 House—Committee of the Whole - Be passed—HJ 167
 02/02/2017 House—Final Action - Passed; Yea: 121 Nay: 1—HJ 171
 02/02/2017 Senate—Received and Introduced—SJ 122
 02/03/2017 Senate—Referred to Committee on Ways and Means—SJ 127
 02/06/2017 Senate—Hearing: Thursday, February 09, 2017, 10:30 AM Room 548-S - CANCELLED
 02/08/2017 Senate—Hearing: Tuesday, February 14, 2017, 10:30 AM Room 548-S
 05/08/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 623
 06/04/2017 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 842
 06/04/2017 Senate—Emergency Final Action - Passed as amended; Yea: 27 Nay: 13—SJ 853
 06/06/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Waymaster, Representative Davis and Representative Wolfe Moore as conferees—HJ 1400
 06/06/2017 Senate—Motion to accede adopted; Senator McGinn, Senator Billinger and Senator Kelly appointed as conferees—SJ 1010
 06/10/2017 Senate—Motion to suspend Joint Rule 3 (f) to allow consideration adopted;
 06/10/2017 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 11—SJ 1468
 06/10/2017 House—Conference Committee Report was adopted; Yea: 88 Nay: 27—HJ 1491
 06/26/2017 House—Enrolled and presented to Governor on Thursday, June 15, 2017—HJ 2114
 06/26/2017 House—Approved by Governor except line item veto of Secs. 174, 99(q) and 100(o) on Saturday, June 24, 2017—HJ 2112
 06/26/2017 House—No motion to reconsider line item vetoes; Vetoes sustained

- H 2003** Bill by Legislative Post Audit Committee
Kansas standard asset seizure and forfeiture act; restriction on county or district attorney.
 01/09/2017 House—Prefiled for Introduction on Monday, December 05, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Judiciary—HJ 57
 01/18/2017 House—Hearing: Monday, January 23, 2017, 03:30 PM Room 112-N
- H 2004** Bill by Legislative Post Audit Committee
Clarifying and limiting discretion for expenditure of proceeds from civil forfeiture.
 01/09/2017 House—Prefiled for Introduction on Monday, December 05, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Judiciary—HJ 57
 01/18/2017 House—Hearing: Monday, January 23, 2017, 03:30 PM Room 112-N
- H 2005** Bill by
Exempting members of the state board of regents retirement plan from certain KPERs working after retirement provisions.
 01/09/2017 House—Prefiled for Introduction on Thursday, December 15, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ 57
- H 2006** Bill by Representative Claeys
County commission boards; expansion of commissioners; special election or next general election.
 01/09/2017 House—Prefiled for Introduction on Monday, December 19, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Local Government—HJ 57
 01/18/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 281-N
 01/20/2017 House—Hearing and possible action: Tuesday, January 24, 2017, 01:30 PM Room 281-N
 01/26/2017 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 114
 02/01/2017 House—Committee of the Whole - Be passed as amended—HJ 167
 02/02/2017 House—Final Action - Passed as amended; Yea: 121 Nay: 1—HJ 172
 02/02/2017 Senate—Received and Introduced—SJ 122
 02/03/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 127
 02/22/2017 Senate—Hearing: Tuesday, March 07, 2017, 09:30 AM Room 142-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 304
 03/28/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 367
 03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 373
 04/04/2017 House—Concurred with amendments; Yea: 124 Nay: 0—HJ 601
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

- H 2007** Bill by Representative Sloan
Providing leave for civil air patrol members.
 01/09/2017 House—Prefiled for Introduction on Wednesday, December 28, 2016—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Veterans and Military—HJ 57
- H 2008** Bill by Representative Swanson
Requiring seat belts on school buses.
 01/09/2017 House—Prefiled for Introduction on Tuesday, January 03, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Transportation—HJ 57
 01/18/2017 House—Hearing: Wednesday, January 25, 2017, 01:30 PM Room 582-N
- H 2009** Bill by Representative Ruiz
State capitol; concealed handguns prohibited except for authorized law enforcement.
 01/09/2017 House—Prefiled for Introduction on Wednesday, January 04, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Federal and State Affairs—HJ 57
- H 2010** Bill by Representative Ruiz
Prohibiting the operation of a motor vehicle while using wireless communication device; exceptions; penalties.
 01/09/2017 House—Prefiled for Introduction on Thursday, January 05, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Transportation—HJ 57
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 582-N
 02/20/2017 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 287
 02/23/2017 House—Stricken from Calendar by Rule 1507
- H 2011** Bill by Representative Esau
Campaign finance; increasing contribution limits; contributions received during primary period.
 01/09/2017 House—Prefiled for Introduction on Thursday, January 05, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Elections—HJ 56
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 281-N
 02/09/2017 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 214
 02/21/2017 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 309
 02/23/2017 House—Stricken from Calendar by Rule 1507
- H 2012** Bill by Representative Esau
Elections; voter registration lists; free copies quarterly to recognized political parties.
 01/09/2017 House—Prefiled for Introduction on Thursday, January 05, 2017—HJ 45

01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Elections—HJ 56
 01/11/2017 House—Hearing: Wednesday, January 18, 2017, 01:30 PM Room 281-N

H 2013 Bill by Representative Esau
Write in candidates in primary elections must agree in writing to have their names placed on general election ballot.

01/09/2017 House—Prefiled for Introduction on Thursday, January 05, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Elections—HJ 56
 01/18/2017 House—Hearing: Wednesday, January 25, 2017, 01:30 PM Room 281-N
 01/25/2017 House—Hearing: Monday, January 30, 2017, 01:30 PM Room 281-N
 02/02/2017 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 172
 02/08/2017 House—Committee of the Whole - Be passed as amended—HJ 203
 02/09/2017 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 212
 02/10/2017 Senate—Received and Introduced—SJ 151
 02/13/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 153
 02/22/2017 Senate—Hearing: Tuesday, March 07, 2017, 09:30 AM Room 142-S
 03/14/2017 Senate—Committee Report recommending bill be passed by Committee on Ethics, Elections and Local Government—SJ 245
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Ethics, Elections and Local Government—SJ 620

H 2014 Bill by Representative Carmichael
Amending prosecutorial powers and penalties for election crimes.
 01/09/2017 House—Prefiled for Introduction on Thursday, January 05, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Judiciary—HJ 57

H 2015 Bill by Representative Esau
Governmental ethics commission; investigation procedures.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Elections—HJ 56
 01/11/2017 House—Hearing: Wednesday, January 18, 2017, 01:30 PM Room 281-N

H 2016 Bill by Representatives Finney, Ballard, Carlin, Curtis, Henderson, Lusk, Lusker, Miller, Neighbor, Ohaebosim, Pittman, Sawyer, Trimmer, Victors, Whipple, Wilson, Winn
People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 45
 01/09/2017 House—Introduced—HJ 45
 01/10/2017 House—Referred to Committee on Transportation—HJ 57
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 01:30 PM Room 582-N - CANCELLED
 01/27/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 582-N

- H 2017** Bill by Representative Esau
Vacancy elections; United States representative to congress.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 46
 01/09/2017 House—Introduced—HJ 46
 01/10/2017 House—Hearing and possible action: Tuesday, January 10, 2017, 01:30 PM Room 281-N
 01/10/2017 House—Referred to Committee on Elections—HJ 56
 01/11/2017 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 69
 01/12/2017 House—Committee of the Whole - Be passed as amended—HJ 73
 01/12/2017 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 73
 01/12/2017 Senate—Received and Introduced—SJ 40
 01/12/2017 Senate—Referred to Committee of the Whole—SJ 40
 01/17/2017 Senate—Committee of the Whole - Be passed—SJ 46
 01/17/2017 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 51
 01/18/2017 House—Enrolled and presented to Governor on Wednesday, January 18, 2017—HJ 93
 01/18/2017 House—Approved by Governor on Wednesday, January 18, 2017
- H 2018** Bill by Representative Finney
Requiring conviction before forfeiture of assets.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 46
 01/09/2017 House—Introduced—HJ 46
 01/10/2017 House—Referred to Committee on Judiciary—HJ 57
 01/18/2017 House—Hearing: Tuesday, January 24, 2017, 03:30 PM Room 112-N
- H 2019** Bill by 2016 Special Foster Care Adequacy
Establishing the foster care oversight task force.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 46
 01/09/2017 House—Introduced—HJ 46
 01/10/2017 House—Referred to Committee on Children and Seniors—HJ 56
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 218-N - CANCELLED
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 218-N
 02/16/2017 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 249
 02/17/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 280
 03/08/2017 House—Hearing: Tuesday, March 14, 2017, 09:00 AM Room 218-N
- H 2020** Bill by Representative Finney
Elections; registration; election day registration.
 01/09/2017 House—Prefiled for Introduction on Friday, January 06, 2017—HJ 46
 01/09/2017 House—Introduced—HJ 46
 01/10/2017 House—Referred to Committee on Elections—HJ 56

- H 2021** Bill by Representative Kiegerl
Providing insurance coverage for hearing aids.
 01/10/2017 House—Introduced—HJ 56
 01/11/2017 House—Referred to Committee on Insurance—HJ 69
 01/18/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 281-N -
 CANCELLED
 01/18/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 281-N
 01/25/2017 House—Hearing: (opponents) Thursday, February 02, 2017, 09:00 AM
 Room 281-N
 01/27/2017 House—Hearing: Tuesday, January 31, 2017, 09:00 AM Room 281-N
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 281-N -
 CANCELLED
- H 2022** Bill by Representative Kiegerl
Kansas right to try act.
 01/10/2017 House—Introduced—HJ 56
 01/11/2017 House—Referred to Committee on Health and Human Services—HJ 69
- H 2023** Bill by Taxation
Determination of Kansas adjusted gross income; sunseting certain modifications.
 01/10/2017 House—Introduced—HJ 56
 01/11/2017 House—Referred to Committee on Taxation—HJ 69
 01/18/2017 House—Hearing: Thursday, January 19, 2017, 03:30 PM Room 346-S
- H 2024** Bill by Federal and State Affairs
**Interstate compact on the agreement among the states to elect the president by
 national popular vote act.**
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Federal and State Affairs—HJ 73
- H 2025** Bill by Health and Human Services
Assistant attorneys general for the board of nursing.
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 01/17/2017 House—Hearing: Tuesday, January 17, 2017, 01:30 PM Room 546-S
 01/18/2017 House—Committee Report recommending bill be passed by Committee on
 Health and Human Services—HJ 86
 01/26/2017 House—Committee of the Whole - Be passed—HJ 114
 01/30/2017 House—Final Action - Passed; Yea: 119 Nay: 1—HJ 156
 01/30/2017 Senate—Received and Introduced—SJ 108
 01/31/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 110
 02/23/2017 Senate—Hearing: Wednesday, March 08, 2017, 09:30 AM Room 118-N
 03/23/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Public Health and Welfare—SJ 323
 03/27/2017 Senate—Committee of the Whole - Be passed as amended—SJ 351
 03/28/2017 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 360
 04/03/2017 House—Concurred with amendments; Yea: 114 Nay: 11—HJ 589
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ
 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

- H 2026** Bill by Health and Human Services
Senate Substitute for HB 2026 by Committee on Public Health and Welfare - KanCare process and contract requirements.
- 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 01/17/2017 House—Hearing: Tuesday, January 17, 2017, 01:30 PM Room 546-S
 01/19/2017 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 92
 01/25/2017 House—Committee of the Whole - Be passed—HJ 108
 01/26/2017 House—Final Action - Passed; Yea: 106 Nay: 14—HJ 113
 01/26/2017 Senate—Received and Introduced—SJ 77
 01/27/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 78
 02/23/2017 Senate—Hearing: Wednesday, March 08, 2017, 09:30 AM Room 118-N
 03/24/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 347
 03/27/2017 Senate—Committee of the Whole - Substitute bill be passed—SJ 351
 03/28/2017 Senate—Final Action - Substitute passed; Yea: 34 Nay: 5—SJ 360
 03/29/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Hawkins, Representative Concannon and Representative Wilson as conferees—HJ 561
 03/30/2017 Senate—Motion to accede adopted; Senator V. Schmidt, Senator Bollier and Senator Kelly appointed as conferees—SJ 398
 04/05/2017 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3—SJ 475
 04/06/2017 House—Conference Committee Report was adopted; Yea: 119 Nay: 5—HJ 631
 05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677
 05/01/2017 House—Approved by Governor on Monday, April 24, 2017—HJ 676

- H 2027** Bill by Health and Human Services
Senate Substitute for HB 2027 by Committee on Public Health and Welfare - Healing arts anatomic pathology billing, institutional licenses and licensee reporting.
- 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 01/17/2017 House—Hearing: Wednesday, January 18, 2017, 01:30 PM Room 546-S
 01/19/2017 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 92
 01/26/2017 House—Committee of the Whole - Be passed—HJ 114
 01/30/2017 House—Final Action - Passed; Yea: 119 Nay: 1—HJ 156
 01/30/2017 Senate—Received and Introduced—SJ 108
 01/31/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 110
 03/08/2017 Senate—Hearing: Monday, March 13, 2017, 09:30 AM Room 118-N
 03/24/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 347
 03/27/2017 Senate—Committee of the Whole - Substitute bill be passed—SJ 351
 03/28/2017 Senate—Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 360
 04/04/2017 House—Concurrent with amendments; Yea: 123 Nay: 1—HJ 601
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ

675

05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

- H 2028** Bill by Health and Human Services
Mental health technician's licensure act amendments.
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 01/17/2017 House—Hearing: Tuesday, January 17, 2017, 01:30 PM Room 546-S
 01/18/2017 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 86
 01/26/2017 House—Committee of the Whole - Be passed—HJ 114
 01/30/2017 House—Final Action - Passed; Yea: 118 Nay: 2—HJ 157
 01/30/2017 Senate—Received and Introduced—SJ 108
 01/31/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 110
 03/06/2017 Senate—Hearing: Wednesday, March 08, 2017, 09:30 AM Room 118-N
- H 2029** Bill by Health and Human Services
Regulation of cannabidiol investigational products.
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
- H 2030** Bill by Health and Human Services
Pharmacist, pharmacy student or intern, administration of any vaccine to a person six years of age or older.
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 01/17/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 546-S
 01/18/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 546-S
 01/31/2017 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 162
 02/13/2017 House—Committee of the Whole - Be passed as amended—HJ 224
 02/14/2017 House—Final Action - Passed as amended; Yea: 120 Nay: 2—HJ 233
 02/14/2017 Senate—Received and Introduced—SJ 157
 02/15/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 160
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 118-N
 03/23/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 328
 03/27/2017 Senate—Committee of the Whole - Be passed as amended—SJ 352
 03/28/2017 Senate—Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 360
 04/03/2017 House—Concurred with amendments; Yea: 123 Nay: 2—HJ 589
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676
- H 2031** Bill by Health and Human Services
Establishing the advisory council on palliative care and quality of life and palliative care education program.
 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Health and Human Services—HJ 73
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 112-S

02/09/2017 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 214
 02/17/2017 House—Committee of the Whole - Be passed as amended—HJ 266
 02/20/2017 House—Final Action - Passed as amended; Yea: 107 Nay: 17—HJ 283
 02/20/2017 Senate—Received and Introduced—SJ 180
 02/21/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 185
 02/23/2017 Senate—Hearing: Thursday, March 09, 2017, 09:30 AM Room 118-N

H 2032 Bill by Water and Environment

Increasing fees credited to the state water plan fund.

01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Water and Environment—HJ 73
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 09:00 AM Room 582-N
 02/15/2017 House—Withdrawn from Committee on Water and Environment; Referred to Committee on Taxation—HJ 240
 02/16/2017 House—Withdrawn from Committee on Taxation; Rereferred to Committee on Water and Environment—HJ 250

H 2033 Bill by Judiciary

Authorizing certain claims for compensation through the crime victims compensation board.

01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Judiciary—HJ 73
 01/13/2017 House—Hearing: Wednesday, January 18, 2017, 03:30 PM Room 112-N
 01/30/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 158
 02/23/2017 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 356
 03/10/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 378

H 2034 Bill by Judiciary

Amending the crime of aggravated battery, concerning strangulation.

01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Judiciary—HJ 73
 01/13/2017 House—Hearing: Wednesday, January 18, 2017, 03:30 PM Room 112-N
 02/14/2017 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 232
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 249

H 2035 Bill by Judiciary

Clarifying the subject matter of criminal post-trial motions for correction of sentence.

01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Judiciary—HJ 73
 01/13/2017 House—Hearing: Wednesday, January 18, 2017, 03:30 PM Room 112-N
 01/30/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 158
 02/07/2017 House—Committee of the Whole - Be passed—HJ 195

02/08/2017 House—Final Action - Passed; Yea: 121 Nay: 1—HJ 201
 02/08/2017 Senate—Received and Introduced—SJ 144
 02/09/2017 Senate—Referred to Committee on Judiciary—SJ 148
 03/08/2017 Senate—Hearing: Friday, March 17, 2017, 10:30 AM Room 346-S
 03/16/2017 Senate—Hearing: Friday, March 17, 2017, 09:30 AM Room 144-S

- H 2036** Bill by Commerce, Labor and Economic Development
Providing income tax credits for aerospace and aviation program graduates and their employers.
- 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 73
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 112-N
 01/31/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 112-N
 02/08/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Transportation and Public Safety Budget—HJ 200
 02/08/2017 House—Hearing: Monday, February 13, 2017, 03:30 PM Room 142-S
 02/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Transportation and Public Safety Budget—HJ 258
 02/22/2017 House—Committee of the Whole - Motion to refer to committee failed Committee on Taxation—HJ 319
 02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 319
 02/23/2017 House—Final Action - Passed as amended; Yea: 77 Nay: 47—HJ 336
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 214
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 09:30 AM Room 548-S

- H 2037** Bill by Commerce, Labor and Economic Development
Establishing the aviation grant program to develop the aviation industry in Kansas.
- 01/11/2017 House—Introduced—HJ 68
 01/12/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 73
 01/31/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 112-N

- H 2038** Bill by Commerce, Labor and Economic Development
Exempting certain veterans and current members of the armed forces from paying certain business filing fees.
- 01/11/2017 House—Introduced—HJ 69
 01/12/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 73
 01/18/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 112-N
 01/25/2017 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 108
 02/02/2017 House—Committee of the Whole - Be passed—HJ 172
 02/03/2017 House—On motion of Majority Leader Hineman, the bill was withdrawn from Final Action and Referred to the Committee on Commerce, Labor and Economic Development in accordance with House Rule 2306.—HJ 178

- H 2039** Bill by Commerce, Labor and Economic Development
Making the Kansas airport improvement program independent of the transportation works program.
 01/11/2017 House—Introduced—HJ 69
 01/12/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 73
 01/31/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 112-N
- H 2040** Bill by Transportation
Citations for overtaking and passing of school buses captured on camera.
 01/12/2017 House—Introduced—HJ 71
 01/13/2017 House—Referred to Committee on Transportation—HJ 78
 01/18/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 582-N
 02/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 279
 02/22/2017 House—Committee of the Whole - Referred to Committee on Judiciary—HJ 329
 02/23/2017 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 336
 03/13/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 382
 03/24/2017 House—Committee Report, be amended without recommendation by Committee on Judiciary—HJ 519
- H 2041** Bill by Judiciary
Extending the judicial branch surcharge fund; also requiring the responsible party to pay for the cost of collection services for debts owed to courts or restitution.
 01/12/2017 House—Introduced—HJ 71
 01/13/2017 House—Referred to Committee on Judiciary—HJ 78
 01/25/2017 House—Hearing: Monday, January 30, 2017, 03:30 PM Room 112-N
 02/03/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 180
 02/09/2017 House—Committee of the Whole - Be passed—HJ 213
 02/13/2017 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 221
 02/13/2017 Senate—Received and Introduced—SJ 153
 02/14/2017 Senate—Referred to Committee on Judiciary—SJ 157
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 10:30 AM Room 346-S
 03/23/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 314
 03/29/2017 Senate—Committee of the Whole - Be passed as amended—SJ 382
 03/30/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 400
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Finch, Representative Patton and Representative Carmichael as conferees—HJ 590
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 434
 05/02/2017 Senate—Conference Committee Report not adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as second conferees—SJ 541
 05/03/2017 House—Motion to accede adopted; Representative Finch, Representative Patton and Representative Carmichael appointed as second conferees—HJ 758

- 05/09/2017 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 15—SJ 625
 05/11/2017 House—Conference Committee Report was adopted; Yea: 98 Nay: 24—HJ 873
 05/19/2017 House—Enrolled and presented to Governor on Friday, May 19, 2017—HJ 989
 05/30/2017 House—Approved by Governor on Friday, May 26, 2017—HJ 1055

H 2042 Bill by Federal and State Affairs
Concealed carry licensure amendments under the personal and family protection act.

- 01/12/2017 House—Introduced—HJ 72
 01/13/2017 House—Referred to Committee on Federal and State Affairs—HJ 78
 01/26/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 346-S
 02/02/2017 House—Hearing: Wednesday, February 08, 2017, 09:00 AM Room 346-S
 03/16/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 456

H 2043 Bill by Insurance
Amending certain financial examination requirements.

- 01/12/2017 House—Introduced—HJ 72
 01/13/2017 House—Referred to Committee on Insurance—HJ 78
 01/18/2017 House—Hearing: Thursday, January 19, 2017, 09:00 AM Room 281-N
 01/18/2017 House—Hearing: Thursday, January 19, 2017, 09:00 AM Room 281-N
 01/26/2017 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 114
 02/03/2017 House—Committee of the Whole - Be passed—HJ 179
 02/06/2017 House—Final Action - Passed; Yea: 117 Nay: 2—HJ 186
 02/06/2017 Senate—Received and Introduced—SJ 131
 02/07/2017 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 138
 03/09/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 307
 03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 364
 03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 374
 04/04/2017 House—Concurred with amendments; Yea: 124 Nay: 0—HJ 602
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2044 Bill by Health and Human Services
Establishing the KanCare bridge to a healthy Kansas program and providing medicaid reimbursement for clubhouse rehabilitation services.

- 01/12/2017 House—Introduced—HJ 72
 01/13/2017 House—Referred to Committee on Health and Human Services—HJ 78
 01/17/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 546-S
 01/17/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 546-S
 01/19/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 546-S
 01/24/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 546-S

- 02/01/2017 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 167
- 02/22/2017 House—Motion by Rep. Hineman to change the sequence of General Orders adopted.—HJ 313
- 02/22/2017 House—Committee of the Whole - Be passed as amended Yea: 83 Nay: 40—HJ 328
- 02/23/2017 House—Final Action - Passed as amended; Yea: 81 Nay: 44—HJ 337
- 02/23/2017 Senate—Received and Introduced—SJ 211
- 03/06/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 214
- 03/15/2017 Senate—Hearing: (opponents) Tuesday, March 21, 2017, 09:30 AM Room 548-S
- 03/15/2017 Senate—Hearing: (proponents) Monday, March 20, 2017, 09:30 AM Room 346-S
- 03/23/2017 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 323
- 03/27/2017 Senate—Committee of the Whole - Be passed Yea: 25 Nay: 13—SJ 352
- 03/28/2017 Senate—Final Action - Passed; Yea: 25 Nay: 14—SJ 361
- 03/29/2017 House—Enrolled and presented to Governor on Wednesday, March 29, 2017—HJ 561
- 03/30/2017 House—Vetoed by Governor; Returned to House on Thursday, March 30, 2017—HJ 564
- 03/30/2017 House—Upon motion by Rep. Jennings, a motion by Rep. Concannon to pass the bill notwithstanding the Governor's veto was laid on the table.—HJ 565
- 04/03/2017 House—Motion to override veto failed; Veto sustained; Yea: 81 Nay: 44—HJ 578

H 2045 Bill by Health and Human Services**Institutional licenses under the healing arts act.**

- 01/12/2017 House—Introduced—HJ 75
- 01/13/2017 House—Referred to Committee on Health and Human Services—HJ 78
- 01/19/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 546-S
- 01/24/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 546-S
- 01/25/2017 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 108
- 02/03/2017 House—Committee of the Whole - Be passed—HJ 179
- 02/06/2017 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 187
- 02/06/2017 Senate—Received and Introduced—SJ 131
- 02/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 138
- 03/08/2017 Senate—Hearing: Monday, March 13, 2017, 09:30 AM Room 118-N

H 2046 Bill by Health and Human Services**Anesthesiologist assistant licensure act.**

- 01/12/2017 House—Introduced—HJ 75
- 01/13/2017 House—Referred to Committee on Health and Human Services—HJ 78
- 01/25/2017 House—Hearing: Monday, January 30, 2017, 01:30 PM Room 546-S

H 2047 Bill by Health and Human Services**Transfer of the office of inspector general to the office of the attorney general.**

- 01/12/2017 House—Introduced—HJ 75

01/13/2017 House—Referred to Committee on Health and Human Services—HJ 78
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 01:30 PM Room 546-S
 02/20/2017 House—Committee Report recommending bill be amended and the bill be referred to the Committee on Appropriations.—HJ 286
 03/14/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 385
 03/21/2017 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 487
 03/27/2017 House—Committee of the Whole - Be passed as amended—HJ 531
 03/28/2017 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 539
 03/28/2017 Senate—Received and Introduced—SJ 364
 03/29/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 369

H 2048 Bill by Corrections and Juvenile Justice**School district plan addressing child sexual abuse; establishing Erin's law.**

01/12/2017 House—Introduced—HJ 76
 01/13/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 78
 01/24/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 152-S
 02/08/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 203
 02/13/2017 House—Committee of the Whole - Be passed as amended—HJ 224
 02/14/2017 House—Final Action - Passed as amended; Yea: 88 Nay: 34—HJ 233
 02/14/2017 Senate—Received and Introduced—SJ 157
 02/15/2017 Senate—Referred to Committee on Education—SJ 160

H 2049 Bill by Corrections and Juvenile Justice**Increasing criminal penalties for crimes committed against a law enforcement officer; the law enforcement protection act.**

01/12/2017 House—Introduced—HJ 76
 01/13/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 78
 01/18/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 152-S
 01/30/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 157
 02/03/2017 House—Committee of the Whole - Be passed as amended—HJ 179
 02/06/2017 House—Final Action - Passed as amended; Yea: 112 Nay: 8—HJ 187
 02/06/2017 Senate—Received and Introduced—SJ 131
 02/07/2017 Senate—Referred to Committee on Judiciary—SJ 138
 03/08/2017 Senate—Hearing: Friday, March 17, 2017, 10:30 AM Room 346-S
 03/16/2017 Senate—Hearing: Friday, March 17, 2017, 09:30 AM Room 144-S

H 2050 Bill by Commerce, Labor and Economic Development**Creating the joint economic development committee.**

01/12/2017 House—Introduced—HJ 76
 01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78
 01/18/2017 House—Hearing: Wednesday, January 25, 2017, 01:30 PM Room 112-N
 01/23/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 112-N - CANCELLED

01/23/2017 House—Hearing: Wednesday, January 25, 2017, 01:30 PM Room 112-N

H 2051 Bill by Commerce, Labor and Economic Development
Enacting the Kansas innovation zone act and reinstating the Kansas enterprise zone act.

01/12/2017 House—Introduced—HJ 76

01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78

02/01/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 546-S - CANCELLED

H 2052 Bill by Appropriations
Senate Substitute for Substitute for HB 2052 by Committee on Ways and Means - Appropriation revisions for FY 2017, FY 2018, FY 2019, FY 2020, 2021, FY 2022, FY 2023 and FY2024 for various state agencies.

01/12/2017 House—Introduced—HJ 76

01/13/2017 House—Referred to Committee on Appropriations—HJ 78

01/18/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 112-N

01/25/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 112-N

02/14/2017 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 235

02/16/2017 House—Committee of the Whole - Substitute bill be passed as amended—HJ 257

02/17/2017 House—Final Action - Substitute passed as amended; Yea: 87 Nay: 36—HJ 264

02/17/2017 Senate—Received and Introduced—SJ 174

02/20/2017 Senate—Referred to Committee on Ways and Means—SJ 179

03/06/2017 Senate—Hearing: Wednesday, March 08, 2017, 10:30 AM Room 548-S

03/14/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 245

03/16/2017 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 274

03/16/2017 Senate—Emergency Final Action - Substitute passed as amended; Yea: 27 Nay: 13—SJ 289

03/20/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Waymaster, Representative Davis and Representative Wolfe Moore as conferees—HJ 471

03/20/2017 Senate—Motion to accede adopted; Senator McGinn, Senator Billinger and Senator Kelly appointed as conferees—SJ 295

04/04/2017 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 11—SJ 436

04/05/2017 House—Conference Committee Report not adopted; Representative Waymaster, Representative Davis and Representative Wolfe Moore appointed as second conferees—HJ 614

04/06/2017 Senate—Motion to accede adopted; Senator McGinn, Senator Billinger and Senator Kelly appointed as second conferees—SJ 488

04/06/2017 Senate—Motion to suspend joint rule 3(f), adopted—SJ 493

04/06/2017 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 10—SJ 493

04/06/2017 House—Conference Committee Report was adopted; Yea: 108 Nay: 15—HJ 644

05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677

05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676

H 2053 Bill by Judiciary

Senate Substitute for HB 2053 by Committee on Judiciary - Enacting the crisis intervention act.

01/12/2017 House—Introduced—HJ 76

01/13/2017 House—Referred to Committee on Judiciary—HJ 78

01/13/2017 House—Hearing: Tuesday, January 17, 2017, 03:30 PM Room 112-N

01/30/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 158

02/07/2017 House—Committee of the Whole - Be passed as amended—HJ 195

02/08/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 202

02/08/2017 Senate—Received and Introduced—SJ 144

02/09/2017 Senate—Referred to Committee on Judiciary—SJ 148

03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S

03/23/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 314

03/30/2017 Senate—Committee of the Whole - Substitute bill be passed—SJ 423

03/30/2017 Senate—Emergency Final Action - Substitute passed; Yea: 27 Nay: 12—SJ 425

04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Finch, Representative Patton and Representative Carmichael as conferees—HJ 590

04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435

05/03/2017 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 573

05/15/2017 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 952

05/19/2017 House—Enrolled and presented to Governor on Friday, May 19, 2017—HJ 989

05/24/2017 House—Approved by Governor on Wednesday, May 24, 2017—HJ 1039

H 2054 Bill by Judiciary

Allowing agents and contractors of public official to access records from the department of labor; allowing for sharing information between state agencies and the Kansas sentencing commission; fee agencies, moneys transferred to the state general fund; notification to persons paying fees that moneys have been transferred; addressing requests by the department of corrections for law enforcement assistance from jurisdictions outside the state; amending the definition of “conviction” for applicant qualification under the Kansas law enforcement training act.

01/12/2017 House—Introduced—HJ 76

01/13/2017 House—Referred to Committee on Judiciary—HJ 78

01/13/2017 House—Hearing: Tuesday, January 17, 2017, 03:30 PM Room 112-N

01/30/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 158

02/09/2017 House—Committee of the Whole - Be passed as amended—HJ 214

02/13/2017 House—Final Action - Passed as amended; Yea: 93 Nay: 29—HJ 222

02/13/2017 Senate—Received and Introduced—SJ 153
 02/14/2017 Senate—Referred to Committee on Judiciary—SJ 157
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S
 03/23/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 316
 03/30/2017 Senate—Committee of the Whole - Be passed as amended—SJ 413
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ
 426
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Finch, Representative Patton and
 Representative Carmichael as conferees—HJ 590
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and
 Senator Haley appointed as conferees—SJ 435
 05/09/2017 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 2—SJ
 627
 05/16/2017 House—Conference Committee Report was adopted; Yea: 98 Nay: 23—HJ
 970
 05/19/2017 House—Enrolled and presented to Governor on Friday, May 19, 2017—HJ
 989
 05/24/2017 House—Approved by Governor on Wednesday, May 24, 2017—HJ 1039

H 2055 Bill by Health and Human Services

**Senate Substitute for HB 2055 by Committee on Public Health and Welfare -
 Pharmacy act of the state of Kansas amendments.**

01/12/2017 House—Introduced—HJ 76
 01/13/2017 House—Referred to Committee on Health and Human Services—HJ 78
 01/17/2017 House—Hearing: Thursday, January 19, 2017, 01:30 PM Room 546-S
 01/26/2017 House—Committee Report recommending bill be passed by Committee on
 Health and Human Services—HJ 114
 02/03/2017 House—Committee of the Whole - Be passed—HJ 179
 02/06/2017 House—Final Action - Passed; Yea: 120 Nay: 0—HJ 189
 02/06/2017 Senate—Received and Introduced—SJ 131
 02/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 138
 02/23/2017 Senate—Hearing: Tuesday, March 07, 2017, 09:30 AM Room 118-N
 03/24/2017 Senate—Committee Report recommending substitute bill be passed by
 Committee on Public Health and Welfare—SJ 348
 03/27/2017 Senate—Committee of the Whole - Substitute bill be passed as amended—
 SJ 351
 03/28/2017 Senate—Final Action - Substitute passed as amended; Yea: 39 Nay: 0—SJ
 362
 04/04/2017 House—Concurrent with amendments; Yea: 123 Nay: 1—HJ 602
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ
 677
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2056 Bill by Commerce, Labor and Economic Development

**Amending the composition of the workers compensation and employment security
 boards nominating commission; administrative judge elected term lengths
 and reappointment.**

01/12/2017 House—Introduced—HJ 76
 01/13/2017 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 78

- H 2057** Bill by Commerce, Labor and Economic Development
Moving workforce development from the department of commerce to the department of labor.
01/12/2017 House—Introduced—HJ 76
01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78
- H 2058** Bill by Commerce, Labor and Economic Development
Replacing the prevailing factor standard in workers compensation law with a substantial factor standard.
01/12/2017 House—Introduced—HJ 77
01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78
- H 2059** Bill by Commerce, Labor and Economic Development
Amending the American medical association guides to the evaluation of permanent impairment edition used for determining workers compensation benefits.
01/12/2017 House—Introduced—HJ 77
01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78
01/25/2017 House—Hearing: Tuesday, January 31, 2017, 01:30 PM Room 112-N
01/31/2017 House—Hearing: Tuesday, January 31, 2017, 01:30 PM Room 112-N
- H 2060** Bill by Transportation
Increasing registration fees on electric and hybrid vehicles.
01/12/2017 House—Introduced—HJ 77
01/13/2017 House—Referred to Committee on Transportation—HJ 78
01/18/2017 House—Hearing: Thursday, January 26, 2017, 01:30 PM Room 582-N
- H 2061** Bill by Energy, Utilities and Telecommunications
Video competition act, definitions.
01/12/2017 House—Introduced—HJ 77
01/13/2017 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 78
- H 2062** Bill by Commerce, Labor and Economic Development
Amending workers compensation law regarding drug testing, certain employer credits, maximum rates, work disability claim threshold, end of employer's obligation, future medical benefits, claim notice requirements and dismissal for lack of prosecution.
01/12/2017 House—Introduced—HJ 77
01/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78

- H 2063** Bill by Federal and State Affairs
Requiring an opportunity for diversion in certain circumstances.
 01/17/2017 House—Introduced—HJ 81
 01/18/2017 House—Referred to Committee on Judiciary—HJ 85
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 03:30 PM Room 112-N
- H 2064** Bill by Health and Human Services
Establishing the KanCare bridge to a healthy Kansas program.
 01/17/2017 House—Introduced—HJ 81
 01/18/2017 House—Referred to Committee on Health and Human Services—HJ 85
 02/01/2017 House—Hearing: (proponents) Wednesday, February 08, 2017, 01:30 PM Room 112-N
 02/01/2017 House—Hearing: (opponents) Thursday, February 09, 2017, 01:30 PM Room 112-N
 02/01/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 112-N
 02/21/2017 House—Motion to withdraw from Committee on Health and Human Services pending—HJ 298
 02/22/2017 House—Motion to withdraw from Committee on Health and Human Services withdrawn.
- H 2065** Bill by Health and Human Services
Assessments on hospitals and health maintenance organizations.
 01/17/2017 House—Introduced—HJ 81
 01/18/2017 House—Referred to Committee on Health and Human Services—HJ 85
 02/08/2017 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 205
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Health and Human Services—HJ 249
 03/08/2017 House—Hearing: Thursday, March 16, 2017, 01:30 PM Room 546-S
- H 2066** Bill by Water and Environment
Public wholesale water supply districts and highway right-of-way.
 01/17/2017 House—Introduced—HJ 81
 01/18/2017 House—Referred to Committee on Water and Environment—HJ 85
 01/20/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 582-N
 02/01/2017 House—Committee Report recommending bill be passed by Committee on Water and Environment—HJ 168
 02/22/2017 House—Committee of the Whole - Be passed—HJ 320
 02/23/2017 House—Final Action - Passed; Yea: 123 Nay: 2—HJ 338
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 214
 03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 159-S
 03/14/2017 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 245
 03/22/2017 Senate—Committee of the Whole - Be passed—SJ 303
 03/23/2017 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 312
 04/03/2017 House—Enrolled and presented to Governor on Friday, March 31, 2017—HJ 592
 04/05/2017 House—Approved by Governor on Wednesday, April 5, 2017—HJ 613

- H 2067** Bill by Insurance
Amending the uniform insurance agents licensing act to require fingerprinting of applicants for a resident insurance agent license.
- 01/17/2017 House—Introduced—HJ 81
01/18/2017 House—Referred to Committee on Insurance—HJ 85
01/19/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 281-N
02/01/2017 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 168
02/08/2017 House—Committee of the Whole - Be passed as amended—HJ 203
02/09/2017 House—Final Action - Passed as amended; Yea: 85 Nay: 38—HJ 212
02/10/2017 Senate—Received and Introduced—SJ 151
02/13/2017 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 153
03/09/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 546-S
03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 307
03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 364
03/29/2017 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 374
04/04/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Vickrey, Representative Dove and Representative Neighbor as conferees—HJ 600
04/04/2017 Senate—Motion to accede adopted; Senator Longbine, Senator Billinger and Senator Rogers appointed as conferees—SJ 441
05/01/2017 Senate—Senator Tyson, Senator Kerschen, and Senator Holland are appointed to replace Senator Longbine, Senator Billinger, and Senator Rogers on the Conference Committee—SJ 508
05/01/2017 House—Representative Johnson, Representative Phillips, and Representative Sawyer are appointed to replace Representative Vickrey, Representative Dove, and Representative Neighbor on the Conference Committee—HJ 677
05/10/2017 Senate—Conference Committee Report not adopted; Yea: 18 Nay: 22—SJ 637
05/10/2017 Senate—Motion to Reconsider Adopted—SJ 651
05/10/2017 Senate—Conference Committee Report not adopted; Senator Tyson, Senator Kerschen and Senator Holland appointed as second conferees—SJ 637
05/11/2017 House—Motion to accede adopted; Representative Johnson, Representative Phillips and Representative Sawyer appointed as second conferees—HJ 871
05/30/2017 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 14—SJ 787
05/30/2017 House—Conference Committee Report not adopted; Yea: 37 Nay: 85—HJ 1057
05/30/2017 House—Motion to Reconsider Adopted—HJ 1072
05/30/2017 House—Conference Committee Report not adopted; Representative Johnson, Representative Phillips and Representative Sawyer appointed as third conferees—HJ 1072
05/31/2017 Senate—Motion to accede adopted; Senator Tyson, Senator Kerschen and Senator Holland appointed as third conferees—SJ 809

- H 2068** Bill by Appropriations
Enforcement of child support orders against persons in arrearage.
 01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Appropriations—HJ 91
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 112-N
- H 2069** Bill by Judiciary
Providing for law enforcement agencies to request and receive certain prior employment records concerning applicants; addressing requests by the department of corrections for law enforcement assistance from jurisdictions outside the state; amending the definition of “conviction” for applicant qualification under the Kansas law enforcement training act.
 01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Judiciary—HJ 91
 01/20/2017 House—Hearing: Wednesday, January 25, 2017, 03:30 PM Room 112-N
 02/03/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 180
 02/09/2017 House—Committee of the Whole - Be passed—HJ 213
 02/13/2017 House—Final Action - Passed; Yea: 121 Nay: 1—HJ 222
 02/13/2017 Senate—Received and Introduced—SJ 153
 02/14/2017 Senate—Referred to Committee on Judiciary—SJ 157
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 346-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 336
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 620
- H 2070** Bill by Judiciary
Creating an exemption to the Kansas open records act for the central registry of Kansas police and law enforcement officers.
 01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Judiciary—HJ 91
 01/20/2017 House—Hearing: Wednesday, January 25, 2017, 03:30 PM Room 112-N
 02/03/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 180
 02/09/2017 House—Committee of the Whole - Motion by Representative Finch to rerefer to Committee on Judiciary passed—HJ 214
 02/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 225
 02/21/2017 House—Committee of the Whole - Be passed as amended—HJ 308
 02/22/2017 House—Final Action - Passed as amended; Yea: 107 Nay: 18—HJ 314
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 346-S
- H 2071** Bill by Judiciary
Sentencing for domestic battery; also relating to custody and disposition of cruelly treated animals.
 01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Judiciary—HJ 91

01/25/2017 House—Hearing: Monday, January 30, 2017, 03:30 PM Room 112-N
 02/03/2017 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 180
 02/14/2017 House—Committee of the Whole - Be passed—HJ 235
 02/15/2017 House—Final Action - Passed; Yea: 121 Nay: 0—HJ 241
 02/15/2017 Senate—Received and Introduced—SJ 161
 02/16/2017 Senate—Referred to Committee on Judiciary—SJ 166
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 10:30 AM Room 346-S
 03/23/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—SJ 319
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary
 —SJ 620

H 2072 Bill by Federal and State Affairs**Creating the Eisenhower preservation fund; registration fees.**

01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Appropriations—HJ 91
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 112-N
 02/01/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 112-N

H 2073 Bill by Federal and State Affairs**Changing the designation of columbus day to indigenous peoples day.**

01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Federal and State Affairs—HJ 91

H 2074 Bill by Federal and State Affairs**Creating a permanent exemption for certain entities from the public buildings law under the personal and family protection act.**

01/18/2017 House—Introduced—HJ 84
 01/19/2017 House—Referred to Committee on Federal and State Affairs—HJ 91
 01/26/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 346-S

H 2075 Bill by Federal and State Affairs**Elections; voting procedures where proof of citizenship not provided.**

01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Elections—HJ 91

H 2076 Bill by Transportation**Creating the seat belt safety fund and increasing the fine for adult seat belt violations.**

01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Transportation—HJ 91
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 582-N
 02/17/2017 House—Committee Report recommending bill be passed by Committee on
 Transportation—HJ 277
 02/22/2017 House—Committee of the Whole - Be passed—HJ 329
 02/23/2017 House—Final Action - Passed; Yea: 93 Nay: 32—HJ 339
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Hearing: Tuesday, March 07, 2017, 08:30 AM Room 546-S

03/06/2017 Senate—Referred to Committee on Transportation—SJ 214
 03/08/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Transportation—SJ 224
 05/08/2017 Senate—Withdrawn from Calendar; Referred to Committee on
 Transportation—SJ 620

H 2077 Bill by Judiciary
**Limiting civil liability for certain persons performing inspection, installation or
 adjustment of a child safety seat or providing education regarding the
 installation or adjustment of a child safety seat.**

01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Judiciary—HJ 91
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 03:30 PM Room 112-N

H 2078 Bill by Education
**Authorizing the reduction or elimination of property tax exemption by a school
 district.**

01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Education—HJ 91
 01/20/2017 House—Hearing: Wednesday, January 25, 2017, 03:30 PM Room 546-S

H 2079 Bill by Water and Environment
**Providing reimbursement for medicaid ground emergency medical transportation
 services; increasing the health maintenance organization privilege fee and
 extending the medical assistance fee fund.**

01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Water and Environment—HJ 91
 01/20/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 582-N
 02/01/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Water and Environment—HJ 168
 02/20/2017 House—Committee of the Whole - Be passed as amended—HJ 286
 02/21/2017 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 299
 02/21/2017 Senate—Received and Introduced—SJ 185
 02/23/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ
 202
 03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 159-S
 03/14/2017 Senate—Committee Report recommending bill be passed by Committee on
 Agriculture and Natural Resources—SJ 245
 03/22/2017 Senate—Committee of the Whole - Be passed as amended—SJ 303
 03/23/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 312
 03/28/2017 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Sloan, Representative Rahjes and
 Representative Victors as conferees—HJ 542
 03/28/2017 Senate—Motion to accede adopted; Senator Kerschen, Senator Estes and
 Senator Francisco appointed as conferees—SJ 365
 05/09/2017 House—Representative Waymaster, Representative Davis, and
 Representative Wolfe Moore are appointed to replace Representative Sloan,
 Representative Rahjes, and Representative Victors on the Conference
 Committee—HJ 851
 05/17/2017 Senate—Senator McGinn, Senator Billinger, and Senator Kelly are

appointed to replace Senator Kerschen, Senator Estes, and Senator Francisco on the Conference Committee—SJ 716

06/03/2017 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 5—SJ 829

06/04/2017 House—Conference Committee Report was adopted; Yea: 101 Nay: 18—HJ 1141

06/09/2017 House—Enrolled and presented to Governor on Friday, June 09, 2017—HJ 1455

06/26/2017 House—Approved by Governor on Thursday, June 15, 2017—HJ 2110

H 2080 Bill by Water and Environment

Reinstatement of forfeited benefit units of rural water districts.

01/18/2017 House—Introduced—HJ 85

01/19/2017 House—Referred to Committee on Water and Environment—HJ 91

01/20/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 582-N

02/01/2017 House—Committee Report recommending bill be passed by Committee on Water and Environment—HJ 168

02/22/2017 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 319

02/22/2017 House—Committee of the Whole - Be passed—HJ 319

02/23/2017 House—Final Action - Passed; Yea: 112 Nay: 13—HJ 339

02/23/2017 Senate—Received and Introduced—SJ 211

03/06/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 214

03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 159-S

03/14/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 245

03/22/2017 Senate—Committee of the Whole - Be passed as amended—SJ 303

03/23/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 313

03/28/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Sloan, Representative Rahjes and Representative Victors as conferees—HJ 542

03/28/2017 Senate—Motion to accede adopted; Senator Kerschen, Senator Estes and Senator Francisco appointed as conferees—SJ 365

04/05/2017 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 473

04/06/2017 House—Conference Committee Report was adopted; Yea: 118 Nay: 6—HJ 634

05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677

05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676

H 2081 Bill by Federal and State Affairs

Public employer liability for public employees carrying a concealed handgun.

01/18/2017 House—Introduced—HJ 85

01/19/2017 House—Referred to Committee on Federal and State Affairs—HJ 91

01/26/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 346-S

03/17/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 463

- H 2082** Bill by Taxation
Property tax lid; cities and counties; repealed.
 01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Taxation—HJ 91
- H 2083** Bill by Taxation
Allowing counties to deny registration of a motor vehicle for unpaid real property taxes.
 01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Taxation—HJ 91
- H 2084** Bill by Corrections and Juvenile Justice
Allowing for sharing data and information between state agencies and Kansas sentencing commission.
 01/18/2017 House—Introduced—HJ 85
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 152-S
 01/31/2017 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 162
 02/09/2017 House—Committee of the Whole - Be passed—HJ 213
 02/13/2017 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 223
 02/13/2017 Senate—Received and Introduced—SJ 153
 02/14/2017 Senate—Referred to Committee on Judiciary—SJ 157
 03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 10:30 AM Room 346-S
- H 2085** Bill by Corrections and Juvenile Justice
Concerning driving under the influence and other driving offenses; use of ignition interlock devices; expungement of convictions and diversions.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 152-S
 01/31/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 162
 02/14/2017 House—Committee of the Whole - Be passed as amended—HJ 235
 02/15/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 242
 02/15/2017 Senate—Received and Introduced—SJ 161
 02/16/2017 Senate—Referred to Committee on Judiciary—SJ 166
 03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 10:30 AM Room 346-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 339
 03/29/2017 Senate—Committee of the Whole - Be passed as amended—SJ 382
 03/30/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 400
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Jennings, Representative Whitmer and Representative Highberger as conferees—HJ 590
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435
 05/02/2017 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ

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05/05/2017 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 798

05/09/2017 House—Enrolled and presented to Governor on Tuesday, May 09, 2017—HJ 869

05/16/2017 House—Approved by Governor on Monday, May 15, 2017—HJ 968

- H 2086** Bill by Corrections and Juvenile Justice
Amending the requirements for offender registration.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 152-S
 01/31/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 162
 02/23/2017 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 356
- H 2087** Bill by Corrections and Juvenile Justice
Authorizing use of certified drug abuse treatment programs for certain crimes.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/24/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 152-S - CANCELLED
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 152-S
- H 2088** Bill by Corrections and Juvenile Justice
Allow use of certified drug abuse treatment program for drug severity level 4 crimes.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/24/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 152-S - CANCELLED
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 152-S
- H 2089** Bill by Corrections and Juvenile Justice
Amending the criminal penalties for unlawfully tampering with electronic monitoring equipment.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 152-S
 01/30/2017 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 157
 02/13/2017 House—Committee of the Whole - Motion by Representative Barker to refer to Committee on Corrections and Juvenile Justice passed—HJ 224

- H 2090** Bill by Corrections and Juvenile Justice
Repealing special sentencing rule for third-time possession of a controlled substance.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/24/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 152-S - CANCELLED
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 152-S
- H 2091** Bill by Corrections and Juvenile Justice
Requiring parental notification when immunity from criminal prosecution is invoked for a minor in possession of alcohol.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 152-S
- H 2092** Bill by Corrections and Juvenile Justice
Clarifying procedure for disclosure of affidavits or sworn testimony relating to arrest warrants; allowing revocation of nonprison sanctions without graduated sanctions for persons given downward departure; clarifying criminal sentencing for certain persons subject to a mandatory minimum term of imprisonment for certain persons with intellectual disabilities convicted of capital murder; allowing certain juvenile adjudications to decay from criminal history; amending citizen grand jury petition sufficiency and right to appeal.
 01/18/2017 House—Introduced—HJ 86
 01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91
 01/19/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 152-S
 01/30/2017 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 157
 02/08/2017 House—Committee of the Whole - Be passed—HJ 203
 02/09/2017 House—Final Action - Passed; Yea: 77 Nay: 46—HJ 213
 02/10/2017 Senate—Received and Introduced—SJ 151
 02/13/2017 Senate—Referred to Committee on Judiciary—SJ 153
 03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 10:30 AM Room 346-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 340
 03/29/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 391
 03/30/2017 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 401
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Jennings, Representative Whitmer and Representative Highberger as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435
 05/30/2017 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 767
 05/31/2017 House—Conference Committee Report was adopted; Yea: 124 Nay: 0—HJ 1076

06/03/2017 House—Enrolled and presented to Governor on Saturday, June 03, 2017—HJ 1139

06/09/2017 House—Approved by Governor on Friday, June 9, 2017—HJ 1456

H 2093 Bill by Corrections and Juvenile Justice

Allowing certain juvenile adjudications to decay from criminal history.

01/18/2017 House—Introduced—HJ 87

01/19/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 91

01/19/2017 House—Hearing: Monday, January 23, 2017, 01:30 PM Room 152-S

01/30/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 158

02/07/2017 House—Committee of the Whole - Be passed as amended—HJ 195

02/08/2017 House—Final Action - Passed as amended; Yea: 101 Nay: 21—HJ 202

02/08/2017 Senate—Received and Introduced—SJ 144

02/09/2017 Senate—Referred to Committee on Judiciary—SJ 148

03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 10:30 AM Room 346-S

H 2094 Bill by Local Government

Municipalities; contracts with other municipalities; interlocal cooperation act..

01/19/2017 House—Introduced—HJ 88

01/20/2017 House—Referred to Committee on Local Government—HJ 94

01/23/2017 House—Hearing and possible action: Thursday, January 26, 2017, 01:30 PM Room 281-N

01/31/2017 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 162

02/07/2017 House—Committee of the Whole - Be passed—HJ 195

02/08/2017 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 203

02/08/2017 Senate—Received and Introduced—SJ 144

02/09/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 148

02/22/2017 Senate—Hearing: Wednesday, March 08, 2017, 09:30 AM Room 142-S

03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 304

03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 367

03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 374

04/04/2017 House—Concurred with amendments; Yea: 124 Nay: 0—HJ 603

04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675

05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2095 Bill by Transportation

Providing a special vehicle permit for certain vehicle combinations.

01/19/2017 House—Introduced—HJ 88

01/20/2017 House—Referred to Committee on Transportation—HJ 94

01/25/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 582-N

02/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 258

02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 320

02/23/2017 House—Final Action - Passed as amended; Yea: 77 Nay: 48—HJ 340

- 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Transportation—SJ 214
 03/08/2017 Senate—Hearing: (opponents) Wednesday, March 15, 2017, 08:30 AM Room 546-S
 03/08/2017 Senate—Hearing: (proponents) Tuesday, March 14, 2017, 08:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 307
 03/30/2017 Senate—Committee of the Whole - Be passed as amended—SJ 413
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 426
 04/04/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Francis and Representative Lusker as conferees—HJ 600
 04/04/2017 Senate—Motion to accede adopted; Senator Petersen, Senator Doll and Senator Pettey appointed as conferees—SJ 441
 04/05/2017 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 2—SJ 477
 04/06/2017 House—Conference Committee Report was adopted; Yea: 123 Nay: 1—HJ 636
 05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677
 05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676

H 2096 Bill by Transportation

Concerning roads and highways; allowing transit buses to operate on certain shoulders in Wyandotte county and renaming a portion of United State highway 75 as the Eldon K. Miller memorial highway.

- 01/19/2017 House—Introduced—HJ 89
 01/20/2017 House—Referred to Committee on Transportation—HJ 94
 01/26/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 582-N - CANCELLED
 01/27/2017 House—Hearing: Tuesday, January 31, 2017, 01:30 PM Room 582-N
 02/08/2017 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 204
 02/13/2017 House—Committee of the Whole - Be passed—HJ 224
 02/14/2017 House—Final Action - Passed; Yea: 114 Nay: 8—HJ 234
 02/14/2017 Senate—Received and Introduced—SJ 157
 02/15/2017 Senate—Referred to Committee on Transportation—SJ 160
 02/22/2017 Senate—Hearing: Tuesday, March 07, 2017, 08:30 AM Room 546-S
 03/06/2017 Senate—Hearing: Wednesday, March 08, 2017, 08:30 AM Room 546-S
 03/08/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 224
 03/23/2017 Senate—Committee of the Whole - Be passed as amended—SJ 311
 03/23/2017 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 313
 03/28/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Francis and Representative Lusker as conferees—HJ 542
 03/29/2017 Senate—Motion to accede adopted; Senator Petersen, Senator Doll and Senator Pettey appointed as conferees—SJ 377

- 04/05/2017 Senate—Conference Committee Report agree to disagree adopted; Senator Petersen, Senator Doll and Senator Pettey appointed as second conferees—SJ 484
- 04/06/2017 House—Conference Committee Report agree to disagree adopted; Representative Proehl, Representative Francis and Representative Lusker appointed as second conferees—HJ 626
- 04/07/2017 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 501
- 05/03/2017 House—Conference Committee Report was adopted; Yea: 119 Nay: 5—HJ 760
- 05/05/2017 House—Enrolled and presented to Governor on Friday, May 05, 2017—HJ 817
- 05/10/2017 House—Approved by Governor on Wednesday, May 10, 2017—HJ 868

H 2097 Bill by Agriculture**Amending the Kansas pet animal act.**

- 01/19/2017 House—Introduced—HJ 89
- 01/20/2017 House—Referred to Committee on Agriculture—HJ 94
- 01/25/2017 House—Hearing: Monday, January 30, 2017, 03:30 PM Room 582-N

H 2098 Bill by Agriculture**Naming the mined land wildlife area bison herd.**

- 01/19/2017 House—Introduced—HJ 89
- 01/20/2017 House—Referred to Committee on Agriculture—HJ 94
- 01/20/2017 House—Hearing and possible action: Thursday, January 26, 2017, 03:30 PM Room 582-N
- 01/31/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Agriculture—HJ 162
- 02/03/2017 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 178
- 02/06/2017 Senate—Received and Introduced—SJ 131
- 02/07/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 138
- 04/05/2017 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 485
- 05/02/2017 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 511
- 05/05/2017 House—Enrolled and presented to Governor on Friday, May 05, 2017—HJ 817
- 05/10/2017 House—Approved by Governor on Wednesday, May 10, 2017—HJ 868

H 2099 Bill by Agriculture**Relating to remedies for the impairment of a valid water right or permit to divert and use water.**

- 01/19/2017 House—Introduced—HJ 89
- 01/20/2017 House—Referred to Committee on Agriculture—HJ 94
- 02/01/2017 House—Hearing: Thursday, February 09, 2017, 03:30 PM Room 582-N
- 02/14/2017 House—Hearing continuation: Thursday, February 16, 2017, 03:30 PM Room 582-N
- 02/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Agriculture—HJ 266
- 02/23/2017 House—Stricken from Calendar by Rule 1507

- H 2100** Bill by Agriculture
Relating to water conservation areas.
 01/19/2017 House—Introduced—HJ 89
 01/20/2017 House—Referred to Committee on Agriculture—HJ 94
 02/08/2017 House—Hearing: Monday, February 13, 2017, 03:30 PM Room 582-N
 02/17/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Agriculture—HJ 266
 02/23/2017 House—Stricken from Calendar by Rule 1507
- H 2101** Bill by Judiciary
Abolishing common-law marriage.
 01/19/2017 House—Introduced—HJ 89
 01/20/2017 House—Referred to Committee on Judiciary—HJ 94
 02/01/2017 House—Hearing: Wednesday, February 08, 2017, 03:30 PM Room 112-N
- H 2102** Bill by Federal and State Affairs
Board of county commissioners; meetings; regional library system board appointments.
 01/19/2017 House—Introduced—HJ 89
 01/20/2017 House—Referred to Committee on Federal and State Affairs—HJ 94
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 09:00 AM Room 346-S
 02/08/2017 House—Committee Report recommending bill be passed by Committee on
 Federal and State Affairs—HJ 204
 02/20/2017 House—Committee of the Whole - Be passed—HJ 286
 02/21/2017 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 300
 02/21/2017 Senate—Received and Introduced—SJ 185
 02/23/2017 Senate—Referred to Committee on Ethics, Elections and Local
 Government—SJ 202
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 142-S
 03/21/2017 Senate—Committee Report recommending bill be passed by Committee on
 Ethics, Elections and Local Government—SJ 298
 03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 365
 03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 374
 04/04/2017 House—Nonconcurrent with amendments; Conference Committee
 requested; appointed Representative Barker, Representative Highland and
 Representative Ruiz as conferees—HJ 600
 04/04/2017 Senate—Motion to accede adopted; Senator Bowers, Senator Fitzgerald and
 Senator Faust-Goudeau appointed as conferees—SJ 441
 05/19/2017 House—Concurred with amendments in conference; Yea: 116 Nay: 0—HJ
 987
 05/30/2017 House—Enrolled and presented to Governor on Friday, May 26, 2017—HJ
 1072
 06/05/2017 House—Approved by Governor on Friday, June 2, 2017—HJ 1154
- H 2103** Bill by Insurance
Providing insurance coverage for amino acid-based elemental formula.
 01/19/2017 House—Introduced—HJ 92
 01/20/2017 House—Referred to Committee on Insurance—HJ 94
 01/25/2017 House—Hearing: (opponents) Thursday, February 02, 2017, 09:00 AM
 Room 281-N

01/25/2017 House—Hearing: (proponents) Tuesday, January 31, 2017, 09:00 AM
Room 281-N

H 2104 Bill by Insurance
Motor vehicle liability insurance; amending uninsured motorist coverage provision requirements and increasing the minimum policy limit for bodily injury.

01/19/2017 House—Introduced—HJ 92

01/20/2017 House—Referred to Committee on Insurance—HJ 94

02/01/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 281-N

02/01/2017 House—Hearing continuation: Thursday, February 09, 2017, 09:00 AM
Room 281-N

02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 281-N

H 2105 Bill by Taxation
Oil and gas property statement of assessment, due date for filing.

01/19/2017 House—Introduced—HJ 92

01/20/2017 House—Referred to Committee on Taxation—HJ 94

H 2106 Bill by Health and Human Services

License renewal of treatment centers.

01/19/2017 House—Introduced—HJ 92

01/20/2017 House—Referred to Committee on Health and Human Services—HJ 94

01/25/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 546-S

02/16/2017 House—Committee Report recommending bill be passed as amended by
Committee on Health and Human Services—HJ 258

02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 319

02/23/2017 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 340

02/23/2017 Senate—Received and Introduced—SJ 211

03/06/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 214

H 2107 Bill by Health and Human Services

Inclusion of biological products in the pharmacy act of the state of Kansas.

01/19/2017 House—Introduced—HJ 92

01/20/2017 House—Referred to Committee on Health and Human Services—HJ 94

01/20/2017 House—Hearing: Tuesday, January 24, 2017, 01:30 PM Room 546-S -
CANCELLED

01/24/2017 House—Hearing: (opponents) Thursday, January 26, 2017, 01:30 PM
Room 546-S

02/21/2017 House—Committee Report recommending bill be passed as amended by
Committee on Health and Human Services—HJ 307

02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 349

02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 114 Nay: 10—
HJ 353

03/06/2017 Senate—Received and Introduced—SJ 215

03/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 217

03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 09:30 AM Room 118-N

- H 2108** Bill by Appropriations
Amendments to the grandparents as caregivers act.
 01/19/2017 House—Introduced—HJ 92
 01/20/2017 House—Referred to Committee on Appropriations—HJ 94
 01/24/2017 House—Withdrawn from Committee on Appropriations; Referred to
 Committee on Children and Seniors—HJ 103
 01/25/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 218-N -
 CANCELLED
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 218-N
- H 2109** Bill by Appropriations
**Authorizing the state board of regents to sell, exchange and convey certain real
 property in Riley county and Sedgwick county on behalf of Kansas state
 university and Wichita state university.**
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Appropriations—HJ 94
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 112-N
 02/01/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 112-N
 02/06/2017 House—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Appropriations—HJ 189
 02/09/2017 House—Final Action - Passed; Yea: 104 Nay: 19—HJ 211
 02/10/2017 Senate—Received and Introduced—SJ 151
 02/13/2017 Senate—Referred to Committee on Ways and Means—SJ 153
 02/14/2017 Senate—Hearing: Monday, February 20, 2017, 10:30 AM Room 548-S
 02/20/2017 Senate—Committee Report recommending bill be passed and placed on
 Consent Calendar by Committee on Ways and Means—SJ 183
 03/16/2017 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 285
 03/24/2017 House—Enrolled and presented to Governor on Friday, March 24, 2017—
 HJ 525
 03/29/2017 House—Approved by Governor on Tuesday, March 28, 2017
- H 2110** Bill by Financial Institutions and Pensions
**Requiring nonresident trust entity applicants to prove that their home state
 authorizes Kansas trust entities.**
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ
 94
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 281-N
 01/31/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 281-N
 02/07/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Financial Institutions and Pensions—HJ 195
 02/14/2017 House—Committee of the Whole - Be passed as amended—HJ 235
 02/15/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 242
 02/15/2017 Senate—Received and Introduced—SJ 161
 02/16/2017 Senate—Referred to Committee on Financial Institutions and Insurance—
 SJ 166
 03/09/2017 Senate—Hearing: Thursday, March 16, 2017, 09:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed by Committee on
 Financial Institutions and Insurance—SJ 306
 03/28/2017 Senate—Committee of the Whole - Be passed—SJ 364
 03/29/2017 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 375

04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

- H 2111** Bill by Financial Institutions and Pensions
Death benefits for certain KP&F surviving spouses.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ 94
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 281-N
 01/31/2017 House—Hearing: Wednesday, February 01, 2017, 09:00 AM Room 281-N
 02/07/2017 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Pensions—HJ 195
 02/17/2017 House—Committee of the Whole - Be passed as amended—HJ 266
 02/20/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 284
 02/20/2017 Senate—Received and Introduced—SJ 180
 02/21/2017 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 185
 03/09/2017 Senate—Hearing: Tuesday, March 14, 2017, 09:30 AM Room 546-S
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 09:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 307
 03/30/2017 Senate—Committee of the Whole - Be passed as amended—SJ 413
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 427
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Kelly, Representative Powell and Representative Trimmer as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Longbine, Senator Billinger and Senator Rogers appointed as conferees—SJ 435
 06/07/2017 House—Representative Johnson, Representative Phillips, and Representative Sawyer are appointed to replace Representative Kelly, Representative Powell, and Representative Trimmer on the Conference Committee—HJ 1433
 06/08/2017 Senate—Senator Tyson, Senator Kerschen, and Senator Holland are appointed to replace Senator Longbine, Senator Billinger, and Senator Rogers on the Conference Committee—SJ 1017

- H 2112** Bill by Taxation
Expanding medicaid coverage for military veterans.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Taxation—HJ 94

- H 2113** Bill by Appropriations
Permanently exempting postsecondary educational institutions from the public buildings law under the personal and family protection act.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Appropriations—HJ 94

- H 2114** Bill by Appropriations
Permanently exempting community mental health centers from the public buildings law under the personal and family protection act.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Appropriations—HJ 94
- H 2115** Bill by Representative Finney
Providing for fair consideration for employment to persons with records of conviction.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Referred to Committee on Judiciary—HJ 94
 02/01/2017 House—Hearing: Monday, February 06, 2017, 03:30 PM Room 112-N
- H 2116** Bill by Corrections and Juvenile Justice
Amendments to the Kansas standard asset seizure and forfeiture act.
 01/19/2017 House—Introduced—HJ 93
 01/20/2017 House—Hearing: Tuesday, January 24, 2017, 03:30 PM Room 112-N
 01/20/2017 House—Referred to Committee on Judiciary—HJ 94
- H 2117** Bill by Representative Carmichael
Restrictions on city and county regulation of political signs; repealed.
 01/20/2017 House—Introduced—HJ 94
 01/23/2017 House—Referred to Committee on Elections—HJ 100
- H 2118** Bill by Insurance
Providing liability exceptions and inactive provider coverage limits under the health care provider insurance availability act and exempting certain licensed providers from the act.
 01/20/2017 House—Introduced—HJ 94
 01/23/2017 House—Referred to Committee on Insurance—HJ 100
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 281-N
 02/09/2017 House—Committee Report recommending bill be passed by Committee on Insurance—HJ 215
 02/23/2017 House—Committee of the Whole - Be passed—HJ 347
 02/23/2017 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 349
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 217
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 09:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 306
 03/28/2017 Senate—Committee of the Whole - Be passed—SJ 364
 03/29/2017 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 375
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

- H 2119** Bill by Health and Human Services
Establishing non-covered services for dental benefits under health insurance.
 01/20/2017 House—Introduced—HJ 94
 01/23/2017 House—Referred to Committee on Health and Human Services—HJ 100
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 546-S
- H 2120** Bill by Health and Human Services
Kansas death with dignity act.
 01/20/2017 House—Introduced—HJ 94
 01/23/2017 House—Referred to Committee on Health and Human Services—HJ 100
- H 2121** Bill by Health and Human Services
Reporting the administration of vaccines to the state registry.
 01/20/2017 House—Introduced—HJ 94
 01/23/2017 House—Referred to Committee on Health and Human Services—HJ 100
 01/25/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 546-S
 02/03/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Health and Human Services—HJ 180
 02/17/2017 House—Committee of the Whole - Be passed as amended—HJ 266
 02/20/2017 House—Final Action - Passed as amended; Yea: 100 Nay: 24—HJ 284
 02/20/2017 Senate—Received and Introduced—SJ 180
 02/21/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 185
 03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 09:30 AM Room 118-N
- H 2122** Bill by Federal and State Affairs
Creating the fair repair act.
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Federal and State Affairs—HJ 103
- H 2123** Bill by Federal and State Affairs
**Amending the Kansas act against discrimination to include sexual orientation and
 gender identity.**
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Federal and State Affairs—HJ 103
- H 2124** Bill by Health and Human Services
Medical student loan agreements for psychiatry.
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Health and Human Services—HJ 103
 01/25/2017 House—Hearing: Thursday, February 02, 2017, 01:30 PM Room 546-S
- H 2125** Bill by Judiciary
**Amending the Kansas general corporation code to include public benefit
 corporations.**
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Judiciary—HJ 103
 01/25/2017 House—Hearing: Thursday, February 02, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed by Committee on
 Judiciary—HJ 225

02/20/2017 House—Committee of the Whole - Be passed—HJ 286
 02/21/2017 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 300
 02/21/2017 Senate—Received and Introduced—SJ 185
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 10:30 AM Room 346-S

H 2126 Bill by Judiciary**Relating to the mediation or arbitration of trust provisions.**

01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Judiciary—HJ 103
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 225
 02/16/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 250
 02/16/2017 Senate—Received and Introduced—SJ 166
 02/17/2017 Senate—Referred to Committee on Judiciary—SJ 172
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 10:30 AM Room 346-S
 03/21/2017 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 298
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 620

H 2127 Bill by Judiciary**Transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary.**

01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Judiciary—HJ 103
 01/25/2017 House—Hearing: Wednesday, February 01, 2017, 03:30 PM Room 112-N

H 2128 Bill by Judiciary**Amending provisions concerning annual examinations, transitional and conditional release of sexually violent predators.**

01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Judiciary—HJ 103
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 225
 02/21/2017 House—Committee of the Whole - Be passed—HJ 308
 02/22/2017 House—Final Action - Passed; Yea: 104 Nay: 21—HJ 314
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S
 03/21/2017 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 298
 03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 366
 03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 375
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Finch, Representative Patton and Representative Carmichael as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435

- 04/04/2017 Senate—Senator Baumgardner is appointed to replace Senator Lynn on the Conference Committee—SJ 440
- 05/17/2017 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 711
- 05/22/2017 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 991
- 05/30/2017 House—Enrolled and presented to Governor on Friday, May 26, 2017—HJ 1072
- 06/05/2017 House—Approved by Governor on Friday, June 2, 2017—HJ 1154

H 2129 Bill by General Government Budget
Senate Substitute for HB 2129 by Committee on Ways and Means - Department of administration; exempting division of legislative post audit from the monumental building surcharge; energy audit exception; regulations on contracts and purchase orders.

- 01/23/2017 House—Introduced—HJ 98
- 01/24/2017 House—Referred to Committee on General Government Budget—HJ 103
- 02/01/2017 House—Hearing: Thursday, February 09, 2017, 01:30 PM Room 218-N
- 02/15/2017 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 244
- 02/22/2017 House—Committee of the Whole - Be passed—HJ 329
- 02/23/2017 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 341
- 02/23/2017 Senate—Received and Introduced—SJ 211
- 03/06/2017 Senate—Referred to Committee on Ways and Means—SJ 214
- 03/13/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 548-S
- 04/05/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 485

H 2130 Bill by General Government Budget
Senate Substitute for HB 2130 by Committee on Ways and Means - Increasing the health maintenance organization privilege fee and extending the medical assistance fee fund.

- 01/23/2017 House—Introduced—HJ 98
- 01/24/2017 House—Referred to Committee on General Government Budget—HJ 103
- 02/01/2017 House—Hearing: Thursday, February 09, 2017, 01:30 PM Room 218-N
- 02/15/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on General Government Budget—HJ 244
- 02/20/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 283
- 02/20/2017 Senate—Received and Introduced—SJ 180
- 02/21/2017 Senate—Referred to Committee on Ways and Means—SJ 185
- 03/13/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 548-S
- 05/05/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 617

H 2131 Bill by Representative Miller
Providing a sales tax exemption for food and food ingredients.

- 01/23/2017 House—Introduced—HJ 98
- 01/24/2017 House—Referred to Committee on Taxation—HJ 103

- H 2132** Bill by Veterans and Military
Senate Substitute for HB 2132 by Committee on Federal and State Affairs - Sale of property by port authorities
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Veterans and Military—HJ 103
 01/25/2017 House—Hearing: Tuesday, January 31, 2017, 09:00 AM Room 152-S
 01/31/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Veterans and Military—HJ 162
 02/03/2017 House—Final Action - Passed; Yea: 115 Nay: 0—HJ 178
 02/06/2017 Senate—Received and Introduced—SJ 131
 02/07/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 138
 05/05/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 617
 05/15/2017 Senate—Committee of the Whole - Substitute bill be passed—SJ 702
 05/16/2017 Senate—Final Action - Substitute passed; Yea: 37 Nay: 3—SJ 704
 05/17/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Highland and Representative Ruiz as conferees—HJ 977
 05/17/2017 Senate—Motion to accede adopted; Senator Estes, Senator Olson and Senator Faust-Goudeau appointed as conferees—SJ 716
 05/25/2017 House—Concurred with amendments in conference; Yea: 118 Nay: 4—HJ 1052
 06/02/2017 House—Enrolled and presented to Governor on Friday, June 02, 2017—HJ 1137
 06/09/2017 House—Approved by Governor on Friday, June 9, 2017—HJ 1456
- H 2133** Bill by Appropriations
Joint revenue estimates, move April 20 date to May 1.
 01/23/2017 House—Introduced—HJ 98
 01/24/2017 House—Referred to Committee on Appropriations—HJ 103
 02/01/2017 House—Hearing: Wednesday, February 08, 2017, 09:00 AM Room 112-N
- H 2134** Bill by Agriculture
Relating to certain department of agriculture fees.
 01/23/2017 House—Introduced—HJ 99
 01/24/2017 House—Referred to Committee on Agriculture—HJ 103
 02/01/2017 House—Hearing: Monday, February 06, 2017, 03:30 PM Room 582-N
- H 2135** Bill by Agriculture
Relating to fees for dairy businesses and the processing of paper documents by the Kansas secretary of agriculture.
 01/23/2017 House—Introduced—HJ 99
 01/24/2017 House—Referred to Committee on Agriculture—HJ 103
 02/02/2017 House—Hearing: Monday, February 06, 2017, 03:30 PM Room 582-N
- H 2136** Bill by Agriculture
Updating provisions relating to weights and measures.
 01/23/2017 House—Introduced—HJ 99
 01/24/2017 House—Referred to Committee on Agriculture—HJ 103
 02/01/2017 House—Hearing: Monday, February 06, 2017, 03:30 PM Room 582-N

02/14/2017 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 235
 02/21/2017 House—Committee of the Whole - Be passed—HJ 308
 02/22/2017 House—Final Action - Passed; Yea: 119 Nay: 6—HJ 315
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 202
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 08:30 AM Room 159-S
 03/22/2017 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 304
 03/28/2017 Senate—Committee of the Whole - Be passed—SJ 364
 03/29/2017 Senate—Final Action - Passed; Yea: 35 Nay: 5—SJ 375
 04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

H 2137 Bill by Local Government**Cities and counties; governing body members, certain volunteer activities.**

01/24/2017 House—Introduced—HJ 102
 01/25/2017 House—Referred to Committee on Local Government—HJ 108
 01/25/2017 House—Hearing and possible action: Tuesday, January 31, 2017, 01:30 PM Room 281-N
 02/03/2017 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 180
 02/09/2017 House—Committee of the Whole - Be passed—HJ 213
 02/13/2017 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 223
 02/13/2017 Senate—Received and Introduced—SJ 153
 02/14/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 157
 02/22/2017 Senate—Hearing: Wednesday, March 08, 2017, 09:30 AM Room 142-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 306
 03/28/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 367
 03/29/2017 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 376
 04/04/2017 House—Concurred with amendments; Yea: 111 Nay: 13—HJ 603
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2138 Bill by Local Government**State fire marshal; school lockdowns; rules and regulations.**

01/24/2017 House—Introduced—HJ 103
 01/25/2017 House—Referred to Committee on Local Government—HJ 108
 01/25/2017 House—Hearing and possible action: Tuesday, January 31, 2017, 01:30 PM Room 281-N - CANCELLED

H 2139 Bill by Health and Human Services**Licensure of dental therapists.**

01/24/2017 House—Introduced—HJ 103
 01/25/2017 House—Referred to Committee on Health and Human Services—HJ 108

02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 546-S

H 2140 Bill by Federal and State Affairs

Authorizing the governor to enter into the great plains interstate fire compact.

01/24/2017 House—Introduced—HJ 103

01/25/2017 House—Referred to Committee on Federal and State Affairs—HJ 108

02/08/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 346-S

02/16/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 258

02/21/2017 House—Committee of the Whole - Be passed—HJ 308

02/22/2017 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 315

02/22/2017 Senate—Received and Introduced—SJ 199

02/23/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 202

03/09/2017 Senate—Hearing: Tuesday, March 14, 2017, 10:30 AM Room 144-S

03/16/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 290

03/28/2017 Senate—Committee of the Whole - Be passed as amended—SJ 364

03/29/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 376

04/03/2017 House—Concurred with amendments; Yea: 124 Nay: 1—HJ 588

04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 675

05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2141 Bill by Federal and State Affairs

Alcoholic beverages; authorizing a manufacturer licensee to hold a drinking establishment license.

01/24/2017 House—Introduced—HJ 103

01/25/2017 House—Referred to Committee on Federal and State Affairs—HJ 108

02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 346-S

H 2142 Bill by K-12 Education Budget

Establishing a unified school district employee health care benefits program.

01/24/2017 House—Introduced—HJ 105

01/25/2017 House—Referred to Committee on Education—HJ 108

01/25/2017 House—Withdrawn from Committee on Education; Referred to Committee on K-12 Education Budget—HJ 109

02/08/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 346-S - CANCELLED

02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236

02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240

H 2143 Bill by K-12 Education Budget

Requiring school districts to procure specific spend categories through the department of education.

01/24/2017 House—Introduced—HJ 105

01/25/2017 House—Referred to Committee on Education—HJ 108

01/25/2017 House—Withdrawn from Committee on Education; Referred to Committee on K-12 Education Budget—HJ 109

01/27/2017 House—Hearing: Wednesday, February 01, 2017, 01:30 PM Room 346-S
02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240

H 2144 Bill by Appropriations
Civil service; if a state employee in the classified service voluntarily transfers into unclassified service, such employee is not be eligible to be rehired or transferred to a position in the classified service within the same state agency.

01/24/2017 House—Introduced—HJ 105
01/25/2017 House—Referred to Committee on Appropriations—HJ 108
01/25/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 112-N
02/01/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 112-N - CANCELLED

H 2145 Bill by Federal and State Affairs
Prohibiting the possession of a firearm by certain individuals.
01/24/2017 House—Introduced—HJ 105
01/25/2017 House—Referred to Committee on Federal and State Affairs—HJ 108
02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 346-S
03/24/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 519

H 2146 Bill by Taxation
Property tax exemption for certain property used for educational or scientific purposes.
01/24/2017 House—Introduced—HJ 105
01/25/2017 House—Referred to Committee on Taxation—HJ 108
02/22/2017 House—Hearing: Tuesday, March 07, 2017, 03:30 PM Room 346-S

H 2147 Bill by Representatives Victors, Highberger
Authorizing the department of revenue to study Native American veterans' income tax settlement claims.
01/25/2017 House—Introduced—HJ 107
01/26/2017 House—Referred to Committee on Veterans and Military—HJ 113
01/26/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 152-S - CANCELLED
02/01/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 152-S
02/06/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 152-S
02/15/2017 House—Withdrawn from Committee on Veterans and Military; Referred to Committee on Appropriations—HJ 240
02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Veterans and Military—HJ 250

- H 2148** Bill by Transportation
Creating distinctive license plates for autism awareness and the Kansas 4-H foundation.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Transportation—HJ 113
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 582-N
 02/17/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Transportation—HJ 277
 02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 329
 02/23/2017 House—Final Action - Passed as amended; Yea: 120 Nay: 5—HJ 341
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Transportation—SJ 214
 03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 546-S
- H 2149** Bill by Health and Human Services
Creating the social work examining committee.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Health and Human Services—HJ 113
 02/08/2017 House—Hearing: Friday, February 17, 2017, 01:30 PM Room 546-S -
 CANCELLED
 02/14/2017 House—Hearing: Wednesday, February 15, 2017, 01:30 PM Room 546-S
- H 2150** Bill by Health and Human Services
Prohibiting the carrying of concealed firearms in certain buildings.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Federal and State Affairs—HJ 113
 01/27/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 346-S
- H 2151** Bill by Health and Human Services
Establishing restrictions on health insurance use of step therapy protocols.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Health and Human Services—HJ 113
- H 2152** Bill by Health and Human Services
Authorizing hemp treatments for certain medical conditions.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Health and Human Services—HJ 113
 02/23/2017 House—Withdrawn from Committee on Health and Human Services;
 Referred to Committee on Appropriations—HJ 356
 03/10/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Health and Human Services—HJ 378
 03/10/2017 House—Hearing: Wednesday, March 15, 2017, 01:30 PM Room 546-S
- H 2153** Bill by Judiciary
Amending the Kansas general corporation code to include public benefit corporations.
 01/25/2017 House—Introduced—HJ 107
 01/26/2017 House—Referred to Committee on Judiciary—HJ 113
 02/01/2017 House—Hearing: Wednesday, February 08, 2017, 03:30 PM Room 112-N

02/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 225
 02/21/2017 House—Committee of the Whole - Be passed as amended—HJ 308
 02/22/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 1—HJ 316
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 10:30 AM Room 346-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 307
 03/30/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 417
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 5—SJ 427
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Finch, Representative Patton and Representative Carmichael as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435
 05/02/2017 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 2—SJ 528
 05/09/2017 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 852
 05/12/2017 House—Enrolled and presented to Governor on Friday, May 12, 2017—HJ 949
 05/16/2017 House—Approved by Governor on Monday, May 15, 2017—HJ 968

H 2154 Bill by Representative Ward
Expanding medicaid to the extent permitted under the affordable care act.
 01/25/2017 House—Introduced—HJ 108
 01/26/2017 House—Referred to Committee on Health and Human Services—HJ 113

H 2155 Bill by Representative Ward
Lobbying restrictions; certain elected state officers and executive staff.
 01/25/2017 House—Introduced—HJ 108
 01/26/2017 House—Referred to Committee on Elections—HJ 113

H 2156 Bill by Representative Ward
Enacting the Kansas protection against terrorists act.
 01/25/2017 House—Introduced—HJ 108
 01/26/2017 House—Referred to Committee on Federal and State Affairs—HJ 113

H 2157 Bill by Representative Ward
Help Kansas vote act.
 01/25/2017 House—Introduced—HJ 108
 01/26/2017 House—Referred to Committee on Elections—HJ 113

- H 2158** Bill by Representative Miller
Election law; write-in candidates; advance voting, including by mail; notice of change in voting place; information for campaign officer and political committee reports; filing locations for contribution reports preceding an election.
- 01/25/2017 House—Introduced—HJ 108
01/26/2017 House—Referred to Committee on Elections—HJ 113
02/01/2017 House—Hearing: Wednesday, February 08, 2017, 01:30 PM Room 281-N
02/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 224
02/20/2017 House—Committee of the Whole - Be passed as amended—HJ 286
02/21/2017 House—Final Action - Passed as amended; Yea: 123 Nay: 2—HJ 301
02/21/2017 Senate—Received and Introduced—SJ 185
02/23/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 202
03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 09:30 AM Room 142-S
03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 331
03/29/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 382
03/30/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 401
04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Esau, Representative Carpenter and Representative Miller as conferees—HJ 591
04/04/2017 Senate—Motion to accede adopted; Senator Bowers, Senator Fitzgerald and Senator Faust-Goudeau appointed as conferees—SJ 435
04/05/2017 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 478
04/06/2017 House—Conference Committee Report was adopted; Yea: 123 Nay: 1—HJ 636
05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677
05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676
- H 2159** Bill by Representative Miller
Voter registration; proof of citizenship repealed.
- 01/25/2017 House—Introduced—HJ 109
01/26/2017 House—Referred to Committee on Elections—HJ 113
- H 2160** Bill by Children and Seniors
Amending the individual development account program act to allow certain expenditures by individuals who were likely to age out of foster care.
- 01/25/2017 House—Introduced—HJ 109
01/26/2017 House—Referred to Committee on Children and Seniors—HJ 113
02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 218-N
02/15/2017 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 244
02/22/2017 House—Committee of the Whole - Be passed—HJ 320
02/23/2017 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 342
02/23/2017 Senate—Received and Introduced—SJ 211
03/06/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 214

H 2161 Bill by Appropriations
State finances; requiring the KPERS board to liquidate the pooled money investment portfolio investment pursuant to K.S.A. 2016 Supp. 75-2263; transferring money to the state general fund and to the pooled money investment portfolio; authorizing the pooled money investment board to invest idle funds available for long term investment.

01/25/2017 House—Introduced—HJ 109
 01/25/2017 House—Hearing: Thursday, January 26, 2017, 09:00 AM Room 112-N
 01/26/2017 House—Referred to Committee on Appropriations—HJ 113
 02/14/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 236
 02/16/2017 House—Committee of the Whole - Be passed as amended—HJ 255
 02/17/2017 House—Final Action - Passed as amended; Yea: 98 Nay: 25—HJ 265
 02/17/2017 Senate—Received and Introduced—SJ 174
 02/20/2017 Senate—Referred to Committee on Ways and Means—SJ 179

H 2162 Bill by Taxation
Sales taxation; time for payment by retailers.

01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Taxation—HJ 113
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 346-S
 03/08/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 368
 03/14/2017 House—Committee of the Whole - Be passed as amended—HJ 389
 03/15/2017 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 419
 03/15/2017 Senate—Received and Introduced—SJ 247
 03/16/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 252
 03/22/2017 Senate—Hearing: Friday, March 24, 2017, 09:30 AM Room 548-S
 04/04/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 469

H 2163 Bill by Commerce, Labor and Economic Development
Reinstating the income tax credit for certain contributions to technical colleges.

01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 113

H 2164 Bill by Education
Adding an additional member to the board of trustees of Cowley county community college.

01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Education—HJ 113
 01/31/2017 House—Hearing: Wednesday, February 01, 2017, 03:30 PM Room 546-S
 01/31/2017 House—Hearing: Wednesday, February 01, 2017, 03:30 PM Room 546-S
 02/13/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—HJ 224
 02/16/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 251
 02/16/2017 Senate—Received and Introduced—SJ 166
 02/17/2017 Senate—Referred to Committee on Education—SJ 172
 03/13/2017 Senate—Hearing and possible action: Monday, March 13, 2017, 01:30 PM

Room 144-S

- 03/14/2017 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 245
 03/23/2017 Senate—Committee of the Whole - Be passed—SJ 311
 03/23/2017 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 313
 04/03/2017 House—Enrolled and presented to Governor on Friday, March 31, 2017—HJ 592
 04/05/2017 House—Approved by Governor on Wednesday, April 5, 2017—HJ 613

H 2165 Bill by Education

Development and implementation of ethnic studies in schools.

- 01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Education—HJ 113
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 546-S - CANCELLED

H 2166 Bill by Energy, Utilities and Telecommunications

Authorizing private entities to charge fees at electric vehicle charging stations.

- 01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 113
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 09:00 AM Room 582-N

H 2167 Bill by Representatives Becker, Amberger, Carmichael, Concannon, Dierks, Henderson, Highberger, Hodge, Houser, Kessinger, Koesten, Kuether, Phelps, Sawyer, Sutton

Abolishing the death penalty and creating the crime of aggravated murder.

- 01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 113
 02/09/2017 House—Hearing: Monday, February 13, 2017, 01:15 PM Room 582 N

H 2168 Bill by Representatives Waymaster, Claeys, Concannon, Davis, Hoffman

Enacting the ad astra rural jobs act.

- 01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 113
 02/01/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 546-S
 02/21/2017 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 306
 02/23/2017 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 336
 02/23/2017 House—Withdrawn from Committee on Appropriations; Referred to Committee on Taxation—HJ 356
 03/08/2017 House—Withdrawn from Committee on Taxation; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 369
 03/10/2017 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 379
 03/14/2017 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 413

03/14/2017 House—Committee of the Whole - Be passed as amended—HJ 390
 03/15/2017 House—Final Action - Passed as amended; Yea: 97 Nay: 22—HJ 419
 03/15/2017 Senate—Received and Introduced—SJ 247
 03/16/2017 Senate—Referred to Committee on Commerce—SJ 252

- H 2169** Bill by Health and Human Services
KanCare process and contract requirements.
 01/25/2017 House—Introduced—HJ 109
 01/26/2017 House—Referred to Committee on Health and Human Services—HJ 113
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 546-S
- H 2170** Bill by Transportation
Allowing bicycles to be equipped with either a rear lamp or reflector.
 01/26/2017 House—Introduced—HJ 111
 01/27/2017 House—Referred to Committee on Transportation—HJ 118
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 582-N
 02/13/2017 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 227
 02/20/2017 House—Committee of the Whole - Be passed—HJ 286
 02/21/2017 House—Final Action - Passed; Yea: 116 Nay: 9—HJ 301
 02/21/2017 Senate—Received and Introduced—SJ 185
 02/23/2017 Senate—Referred to Committee on Transportation—SJ 202
 03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 546-S
 03/16/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 290
 03/30/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 413
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 427
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Francis and Representative Lusker as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Petersen, Senator Doll and Senator Pettey appointed as conferees—SJ 435
 04/05/2017 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 482
 04/06/2017 House—Conference Committee Report was adopted; Yea: 116 Nay: 8—HJ 641
 05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677
 05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676
- H 2171** Bill by Federal and State Affairs
Student privacy and protection act.
 01/26/2017 House—Introduced—HJ 111
 01/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 118
- H 2172** Bill by Federal and State Affairs
Relating to the recognition of marriages.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 118

- H 2173** Bill by Federal and State Affairs
Amendments to the Kansas expanded lottery act relating to racetrack gaming facilities.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 118
 02/02/2017 House—Hearing: (proponents) Tuesday, February 07, 2017, 09:00 AM Room 346-S
 02/02/2017 House—Hearing: (opponents) Monday, February 06, 2017, 09:00 AM Room 346-S
 02/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 224
 02/16/2017 House—Withdrawn from Calendar, Rereferred to Committee on Appropriations—HJ 250
 03/21/2017 House—Hearing: Thursday, March 23, 2017, 09:00 AM Room 112-N
 03/22/2017 House—Hearing: Thursday, March 23, 2017, 09:00 AM Room 112-N
- H 2174** Bill by Veterans and Military
Senate Substitute for HB 2174 by Committee on Transportation -Creating distinctive license plates for autism awareness and the Kansas 4-H foundation; decals for certain military medals or badges; handicapped decals.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Veterans and Military—HJ 118
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 152-S
 02/06/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 152-S
 02/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Veterans and Military—HJ 259
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 347
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 350
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Transportation—SJ 217
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 08:30 AM Room 546-S
 03/21/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Transportation—SJ 298
 03/30/2017 Senate—Committee of the Whole - Substitute bill be passed—SJ 423
 03/30/2017 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0—SJ 427
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Osterman, Representative Clark and Representative Weigel as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Petersen, Senator Doll and Senator Pettey appointed as conferees—SJ 435
 04/05/2017 House—Concurred with amendments in conference; Yea: 124 Nay: 0—HJ 614
 04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ 677
 05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

- H 2175** Bill by Veterans and Military
Requiring disclosure to veterans in certain materials concerning veterans' benefits.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Veterans and Military—HJ 118
 01/27/2017 House—Hearing: Thursday, February 02, 2017, 09:00 AM Room 152-S
- H 2176** Bill by Judiciary
Providing exceptions to the parental notification requirement when a sexual assault evidence collection examination of a minor has taken place.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Judiciary—HJ 118
 02/03/2017 House—Hearing: Wednesday, February 08, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 225
 02/21/2017 House—Committee of the Whole - Be passed
 02/22/2017 House—Final Action - Passed; Yea: 108 Nay: 17—HJ 316
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
- H 2177** Bill by Taxation
Concerning sales and compensating use tax; origin sourcing.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Taxation—HJ 118
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 346-S
- H 2178** Bill by Taxation
Substitute for HB 2178 - Concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions.
 01/26/2017 House—Introduced—HJ 112
 01/27/2017 House—Referred to Committee on Taxation—HJ 118
 01/30/2017 House—Hearing: Thursday, February 02, 2017, 03:30 PM Room 346-S
 02/13/2017 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 227
 02/15/2017 House—Committee of the Whole - Substitute bill be passed Yea: 83 Nay: 39—HJ 243
 02/16/2017 House—Final Action - Substitute passed; Yea: 76 Nay: 48—HJ 252
 02/16/2017 Senate—Received and Introduced—SJ 166
 02/16/2017 Senate—Referred to Committee of the Whole from the chair.—SJ 166
 02/17/2017 Senate—Committee of the Whole - Be passed—SJ 172
 02/17/2017 Senate—Emergency Final Action - Passed; Yea: 22 Nay: 18—SJ 173
 02/21/2017 House—Enrolled and presented to Governor on Tuesday, February 21, 2017—HJ 309
 02/22/2017 House—Vetoed by Governor; Returned to House on Wednesday, February 22, 2017—HJ 311
 02/22/2017 House—Motion to override veto prevailed; Yea: 85 Nay: 40—HJ 312
 02/22/2017 Senate—Motion to override veto failed; Veto sustained; Yea: 24 Nay: 16—SJ 199

- H 2179** Bill by Representatives Crum, Stogsdill, Alcalá, Arnberger, Ballard, Bishop, Burroughs, Carlin, Carmichael, Curtis, Deere, Elliott, Ellis, Finney, Frownfelter, Gartner, Good, Henderson, Highberger, Hodge, Holscher, Kessinger, Koesten, Kuether, Lusk, Lusker, Murnan, Neighbor, Ohaebosim, Ousley, Parker, Phelps, Pittman, Ruiz, Sawyer, Smith, A., Tarwater, Terrell, Trimmer, Victors, Ward, Weigel, Whipple, Winn, Wolfe Moore
Due process for terminating teachers' contracts.
 01/26/2017 House—Introduced—HJ 115
 01/27/2017 House—Referred to Committee on Education—HJ 118
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 546-S
- H 2180** Bill by Appropriations
Increasing the health maintenance organization privilege fee and extending the medical assistance fee fund.
 01/26/2017 House—Introduced—HJ 115
 01/27/2017 House—Referred to Committee on Appropriations—HJ 118
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 09:00 AM Room 112-N
 03/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 454
 04/05/2017 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 612
 04/05/2017 House—Committee of the Whole - Be passed as amended—HJ 612
 04/06/2017 House—Final Action - Passed as amended; Yea: 103 Nay: 21—HJ 622
 04/06/2017 Senate—Received and Introduced—SJ 488
 04/07/2017 Senate—Referred to Committee on Ways and Means—SJ 500
- H 2181** Bill by Representative Burroughs
Requiring a statewide accounting and reporting of untested sexual assault evidence collection kits.
 01/26/2017 House—Introduced—HJ 115
 01/27/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 118
 02/01/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 152-S
- H 2182** Bill by Commerce, Labor and Economic Development
Authorizing growth of Kansas agribusiness through development of an industrial hemp industry; enacting the Kansas agricultural industry growth act.
 01/26/2017 House—Introduced—HJ 115
 01/27/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 118
 02/07/2017 House—Hearing: Wednesday, February 15, 2017, 01:30 PM Room 112-N
 02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 280
 02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 282
 03/14/2017 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 391
 03/24/2017 House—Committee of the Whole - Be passed as amended—HJ 517
 03/27/2017 House—Final Action - Passed as amended; Yea: 103 Nay: 18—HJ 527
 03/27/2017 Senate—Received and Introduced—SJ 351

03/28/2017 Senate—Referred to Committee on Commerce—SJ 358
 05/18/2017 Senate—Withdrawn from Committee on Commerce; Referred to
 Committee on Agriculture and Natural Resources—SJ 725

- H 2183** Bill by Commerce, Labor and Economic Development
Providing employees with the option of written pay statements.
 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 118
 02/03/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 546-S
- H 2184** Bill by Commerce, Labor and Economic Development
Extending the sunset date of the STAR bond financing act and other amendments.
 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 118
 02/07/2017 House—Withdrawn from Committee on Commerce, Labor and Economic
 Development; Referred to Committee on Appropriations—HJ 194
 02/08/2017 House—Hearing: Friday, February 17, 2017, 09:00 AM Room 112-N
 03/22/2017 House—Committee Report recommending bill be passed by Committee on
 Appropriations—HJ 496
 05/02/2017 House—Committee of the Whole - Be passed—HJ 728
 05/03/2017 House—Final Action - Passed; Yea: 112 Nay: 11—HJ 758
 05/03/2017 Senate—Received and Introduced—SJ 548
 05/04/2017 Senate—Referred to Committee on Commerce—SJ 595
- H 2185** Bill by Commerce, Labor and Economic Development
Restoring local control over wage requirements for construction projects.
 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Commerce, Labor and Economic
 Development—HJ 118
 02/03/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 546-S
 02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic
 Development; Referred to Committee on Appropriations—HJ 280
 02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Commerce, Labor and Economic Development—HJ 282
- H 2186** Bill by Judiciary
**Senate Substitute for HB 2186 by Senate Select Committee on Education Finance -
 Creating the Kansas school equity and enhancement act.**
 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Hearing: Wednesday, February 01, 2017, 03:30 PM Room 112-N
 01/27/2017 House—Referred to Committee on Judiciary—HJ 118
 02/13/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Judiciary—HJ 227
 02/21/2017 House—Committee of the Whole - Be passed as amended—HJ 306
 02/22/2017 House—Final Action - Passed as amended; Yea: 72 Nay: 53—HJ 317
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/21/2017 Senate—Withdrawn from Committee on Judiciary; Referred to Committee

on Ways and Means—SJ 298

- 05/24/2017 Senate—Withdrawn from Committee on Ways and Means; Referred to Senate Select Committee on Education Finance—SJ 750
 05/25/2017 Senate—Committee Report recommending substitute bill be passed by Senate Select Committee on Education Finance—SJ 756
 05/30/2017 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 782
 05/31/2017 Senate—Final Action - Passed as amended; Yea: 23 Nay: 16—SJ 805
 06/01/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Campbell, Representative Aurand and Representative Trimmer as conferees—HJ 1102
 06/01/2017 Senate—Motion to accede adopted; Senator Denning, Senator McGinn and Senator Hensley appointed as conferees—SJ 821

H 2187 Bill by Children and Seniors

Restrictions on persons interacting with child care facilities.

- 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Children and Seniors—HJ 118
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 218-N
 02/15/2017 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 244
 02/22/2017 House—Committee of the Whole - Be passed as amended
 02/23/2017 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 342
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 214

H 2188 Bill by Transportation

Providing for increased penalties for right-of-way violations.

- 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Transportation—HJ 118
 02/01/2017 House—Hearing: Wednesday, February 08, 2017, 01:30 PM Room 582-N

H 2189 Bill by Water and Environment

Protecting surface owners' property rights.

- 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Water and Environment—HJ 118
 02/03/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 582-N - CANCELLED
 03/08/2017 House—Hearing: Tuesday, March 14, 2017, 09:00 AM Room 582-N - CANCELLED

H 2190 Bill by Energy, Utilities and Telecommunications

Electric utilities and the sale of renewable energy.

- 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 118

H 2191 Bill by Agriculture
Relating to licenses, permits, stamps and other issues of the Kansas department of wildlife, parks and tourism.

01/26/2017 House—Introduced—HJ 116
 01/26/2017 House—Hearing: Tuesday, January 31, 2017, 03:30 PM Room 582-N
 01/27/2017 House—Referred to Committee on Agriculture—HJ 118
 02/07/2017 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 195
 02/17/2017 House—Committee of the Whole - Be passed—HJ 266
 02/20/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 285
 02/20/2017 Senate—Received and Introduced—SJ 180
 02/21/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 185
 03/10/2017 Senate—Hearing: Wednesday, March 15, 2017, 08:30 AM Room 159-S
 03/22/2017 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 304
 03/28/2017 Senate—Committee of the Whole - Be passed—SJ 364
 03/29/2017 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 376
 04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

H 2192 Bill by Agriculture
Renaming Lake Scott state park.

01/26/2017 House—Introduced—HJ 116
 01/26/2017 House—Hearing: Tuesday, January 31, 2017, 03:30 PM Room 582-N
 01/27/2017 House—Referred to Committee on Agriculture—HJ 118
 02/07/2017 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 195
 02/13/2017 House—Committee of the Whole - Be passed—HJ 224
 02/14/2017 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 234
 02/14/2017 Senate—Received and Introduced—SJ 157
 02/15/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 160
 03/07/2017 Senate—Hearing: Thursday, March 09, 2017, 08:30 AM Room 159-S
 03/09/2017 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 228
 03/16/2017 Senate—Committee of the Whole - Be passed—SJ 270
 03/16/2017 Senate—Emergency Final Action - Passed; Yea: 40 Nay: 0—SJ 289
 03/24/2017 House—Enrolled and presented to Governor on Friday, March 24, 2017—HJ 525
 03/29/2017 House—Approved by Governor on Wednesday, March 29, 2017

H 2193 Bill by Agriculture
Requiring the completion of a boater safety education course.

01/26/2017 House—Introduced—HJ 116
 01/26/2017 House—Hearing: Tuesday, January 31, 2017, 03:30 PM Room 582-N
 01/27/2017 House—Referred to Committee on Agriculture—HJ 118

- H 2194** Bill by Transportation
Substitute for HB 2194 by Committee on Transportation - relating to motorcycles, approved safety training curriculum and location for safety courses.
 01/26/2017 House—Introduced—HJ 116
 01/27/2017 House—Referred to Committee on Transportation—HJ 118
 02/01/2017 House—Hearing: Wednesday, February 08, 2017, 01:30 PM Room 582-N
 02/21/2017 House—Withdrawn from Committee on Transportation; Referred to Committee on Appropriations—HJ 298
 02/22/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Transportation—HJ 310
 03/16/2017 House—Committee Report recommending substitute bill be passed by Committee on Transportation—HJ 457
 03/24/2017 House—Committee of the Whole - Substitute bill be passed—HJ 517
 03/27/2017 House—Final Action - Substitute passed; Yea: 122 Nay: 0—HJ 528
 03/27/2017 Senate—Received and Introduced—SJ 351
 03/28/2017 Senate—Referred to Committee on Transportation—SJ 358
- H 2195** Bill by Health and Human Services
Powers, duties and functions of the board of examiners in fitting and dispensing of hearing instruments transferred to secretary for aging and disability services.
 01/26/2017 House—Introduced—HJ 117
 01/27/2017 House—Referred to Committee on Health and Human Services—HJ 118
 02/08/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 546-S
- H 2196** Bill by Veterans and Military
Concerning the veterans benefit lottery game; relating to disposition of profits; establishing funds for the veterans and national guard benefit lottery games.
 01/27/2017 House—Introduced—HJ 118
 01/30/2017 House—Referred to Committee on Veterans and Military—HJ 156
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 152-S
 02/06/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 152-S
- H 2197** Bill by Judiciary
Senate Substitute for HB 2197 by Committee on Judiciary – Updating the code of civil procedure.
 01/27/2017 House—Introduced—HJ 118
 01/30/2017 House—Referred to Committee on Judiciary—HJ 156
 02/01/2017 House—Hearing: Monday, February 06, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 225
 02/22/2017 House—Committee of the Whole - Be passed—HJ 319
 02/23/2017 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 343
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Judiciary—SJ 214
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 346-S
 03/15/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S
 03/23/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 314

05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary
—SJ 620

- H 2198** Bill by Judiciary
Adding domestic battery and stalking to the list of offenses for which the Kansas bureau of investigation may collect biological samples.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Judiciary—HJ 162
02/01/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 112-N - CANCELLED
02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 112-N - CANCELLED
- H 2199** Bill by Federal and State Affairs
Authorizing the board of county commissioners of any county to regulate conservation easements on property located within the county.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Federal and State Affairs—HJ 162
- H 2200** Bill by Federal and State Affairs
State agencies required to adopt policies and procedures to prohibit workplace bullying.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Federal and State Affairs—HJ 162
02/13/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 346-S
- H 2201** Bill by Federal and State Affairs
Taxpayer empowerment, accountability and transparency in state contracting act.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Federal and State Affairs—HJ 162
02/22/2017 House—Hearing: Wednesday, March 08, 2017, 09:00 AM Room 346-S
- H 2202** Bill by Transportation
Drivers' licenses renewal period, test fees.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Transportation—HJ 162
- H 2203** Bill by Transportation
Designating a segment of United States highway 75 as the Eldon K Miller memorial highway, a portion of interstate 70 as the John Carlin highway.
01/30/2017 House—Introduced—HJ 150
01/31/2017 House—Referred to Committee on Transportation—HJ 162
02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 582-N
02/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 279
02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 329
02/23/2017 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 343
02/23/2017 Senate—Received and Introduced—SJ 211
03/06/2017 Senate—Referred to Committee on Transportation—SJ 214

03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 08:30 AM Room 546-S
 03/22/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Transportation—SJ 307
 05/08/2017 Senate—Withdrawn from Calendar; Referred to Committee on
 Transportation—SJ 620

- H 2204** Bill by Education
Authorizing the governing body of technical colleges to levy a property tax and issue bonds for capital outlay purposes.
 01/30/2017 House—Introduced—HJ 150
 01/31/2017 House—Referred to Committee on Education—HJ 162
- H 2205** Bill by Health and Human Services
Vaccinations for meningitis required.
 01/30/2017 House—Introduced—HJ 151
 01/31/2017 House—Referred to Committee on Health and Human Services—HJ 162
 02/08/2017 House—Hearing: Thursday, February 16, 2017, 01:30 PM Room 546-S
 02/20/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Health and Human Services—HJ 287
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 348
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 20—
 HJ 351
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 217
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 118-N
- H 2206** Bill by Health and Human Services
Relating to telemedicine.
 01/30/2017 House—Introduced—HJ 151
 01/31/2017 House—Referred to Committee on Health and Human Services—HJ 162
 02/08/2017 House—Hearing: Thursday, February 16, 2017, 01:30 PM Room 546-S
- H 2207** Bill by Agriculture
Substitute for HB2207 by Committee on Agriculture – Relating to the pursuit of wounded animals onto private land.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Agriculture—HJ 167
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 582-N
 02/20/2017 House—Committee Report recommending substitute bill be passed by
 Committee on Agriculture—HJ 286
 02/23/2017 House—Committee of the Whole - Motion by Representative Clark to
 refer to Committee on Agriculture passed—HJ 348
- H 2208** Bill by Agriculture
Relating to the transferability of deer permits.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Agriculture—HJ 167
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 582-N

- H 2209** Bill by Agriculture
Creating a program to research the use of industrial hemp.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Agriculture—HJ 167
- H 2210** Bill by Local Government
Elections; political or temporary signs; city and county restrictions, repealed.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Elections—HJ 167
 02/03/2017 House—Withdrawn from Committee on Elections; Referred to Committee on Local Government—HJ 177
 02/06/2017 House—Hearing: Thursday, February 09, 2017, 01:30 PM Room 281-N
 02/15/2017 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 244
 02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 319
 02/23/2017 House—Final Action - Passed as amended; Yea: 100 Nay: 25—HJ 344
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 214
- H 2211** Bill by Local Government
Limiting campaign contributions to governor and lieutenant governor after second term inauguration.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Elections—HJ 167
- H 2212** Bill by Education
Relating to taxation; property exempt from taxation; sales and use tax, Marion county, definitions; income tax, reporting requirements.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Education—HJ 167
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 03:30 PM Room 546-S
 02/13/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—HJ 224
 02/16/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 251
 02/16/2017 Senate—Received and Introduced—SJ 166
 02/17/2017 Senate—Referred to Committee on Education—SJ 172
 03/08/2017 Senate—Hearing and possible action: Monday, March 13, 2017, 01:30 PM Room 144-S
 03/21/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 298
 03/27/2017 Senate—Committee of the Whole - Be passed as amended—SJ 352
 03/28/2017 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 362
 03/29/2017 House—Nonconcurd with amendments; Conference Committee requested; appointed Representative Aurand, Representative Dierks and Representative Winn as conferees—HJ 560
 03/30/2017 Senate—Motion to accede adopted; Senator Baumgardner, Senator Doll and Senator Hensley appointed as conferees—SJ 398
 05/01/2017 House—Representative Johnson, Representative Phillips, and Representative Sawyer are appointed to replace Representative Aurand,

Representative Dierks, and Representative Winn on the Conference Committee—HJ 677

05/01/2017 Senate—Senator Tyson, Senator Kerschen, and Senator Holland are appointed to replace Senator Baumgardner, Senator Doll, and Senator Hensley on the Conference Committee—SJ 508

06/08/2017 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 1017

06/10/2017 House—Conference Committee Report was adopted; Yea: 106 Nay: 6—HJ 1462

06/26/2017 House—Enrolled and presented to Governor on Thursday, June 15, 2017—HJ 2114

06/26/2017 House—Approved by Governor on Friday, June 23, 2017—HJ 2110

H 2213 Bill by Education

Reauthorizing the fee schedule in the Kansas private and out-of-state postsecondary educational institution act.

01/31/2017 House—Introduced—HJ 160

02/01/2017 House—Referred to Committee on Education—HJ 167

02/01/2017 House—Hearing: Thursday, February 09, 2017, 03:30 PM Room 546-S

02/13/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education

02/16/2017 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 252

02/16/2017 Senate—Received and Introduced—SJ 166

02/17/2017 Senate—Referred to Committee on Education—SJ 172

03/08/2017 Senate—Hearing and possible action: Monday, March 13, 2017, 01:30 PM Room 144-S

03/21/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 298

03/27/2017 Senate—Committee of the Whole - Be passed as amended—SJ 352

03/28/2017 Senate—Final Action - Passed as amended; Yea: 38 Nay: 1—SJ 363

03/29/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Aurand, Representative Dierks and Representative Winn as conferees—HJ 561

03/30/2017 Senate—Motion to accede adopted; Senator Baumgardner, Senator Doll and Senator Hensley appointed as conferees—SJ 398

04/05/2017 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 483

04/06/2017 House—Conference Committee Report was adopted; Yea: 124 Nay: 0—HJ 642

05/01/2017 House—Enrolled and presented to Governor on Friday, April 14, 2017—HJ 677

05/01/2017 House—Approved by Governor on Tuesday, April 18, 2017—HJ 676

H 2214 Bill by Judiciary

Placing restrictions on adult sex offenders who were convicted of a sex offense involving a minor.

01/31/2017 House—Introduced—HJ 160

02/01/2017 House—Referred to Committee on Judiciary—HJ 167

02/08/2017 House—Hearing: Monday, February 13, 2017, 03:30 PM Room 112-N

- H 2215** Bill by Judiciary
Removing opposite sex requirement for unlawful voluntary sexual relations.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Judiciary—HJ 167
- H 2216** Bill by Judiciary
Removing sodomy between consenting members of the same sex from criminal sodomy.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Judiciary—HJ 167
- H 2217** Bill by Health and Human Services
Standards governing the use and administration of emergency opioid antagonists.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Health and Human Services—HJ 167
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 112-S
 02/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 258
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 347
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 350
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 217
 03/15/2017 Senate—Hearing: Wednesday, March 22, 2017, 09:30 AM Room 118-N
 03/23/2017 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 323
 03/27/2017 Senate—Committee of the Whole - Be passed—SJ 352
 03/28/2017 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 363
 04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676
- H 2218** Bill by Health and Human Services
Amending the school sports head injury prevention act.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Health and Human Services—HJ 167
- H 2219** Bill by Health and Human Services
Relating to diabetes information reporting.
 01/31/2017 House—Introduced—HJ 160
 02/01/2017 House—Referred to Committee on Health and Human Services—HJ 167
 02/08/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 546-S
 02/14/2017 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 236
 02/23/2017 House—Committee of the Whole - Be passed—HJ 349
 02/23/2017 House—Emergency Final Action - Passed; Yea: 117 Nay: 7—HJ 352
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 217
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 09:30 AM Room 118-N
 03/23/2017 Senate—Committee Report recommending bill be passed by Committee on

Public Health and Welfare—SJ 323

03/27/2017 Senate—Committee of the Whole - Be passed—SJ 351

03/28/2017 Senate—Final Action - Passed; Yea: 25 Nay: 13—SJ 363

04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—
HJ 605

05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

H 2220 Bill by Federal and State Affairs
Prohibiting certain regulations concerning the carrying of concealed handguns at postsecondary educational institutions.

01/31/2017 House—Introduced—HJ 160

02/01/2017 House—Referred to Committee on Federal and State Affairs—HJ 167

02/22/2017 House—Hearing: Thursday, March 09, 2017, 09:00 AM Room 346-S

H 2221 Bill by Representative Ward
Repealing the health care compact.

01/31/2017 House—Introduced—HJ 160

02/01/2017 House—Referred to Committee on Health and Human Services—HJ 167

H 2222 Bill by Corrections and Juvenile Justice
Expanding mandatory reporters of child abuse.

01/31/2017 House—Introduced—HJ 160

02/01/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ
167

H 2223 Bill by Elections
Substitute for HB 2223 by the Committee on Elections – Electronic filing of reports for a candidate for the state legislature and reports for lobbyists; increased penalties for late filing of reports.

01/31/2017 House—Introduced—HJ 161

02/01/2017 House—Referred to Committee on Elections—HJ 167

02/01/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 281-N

02/17/2017 House—Committee Report recommending substitute bill be passed by
Committee on Elections—HJ 267

02/21/2017 House—Committee of the Whole - Motion by Representative Jennings to
refer to Committee on Elections passed—HJ 309

02/22/2017 House—Withdrawn from Committee on Elections; Referred to Committee
on Appropriations—HJ 310

02/23/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
Committee on Elections—HJ 336

03/13/2017 House—Committee Report recommending bill be passed as amended by
Committee on Elections—HJ 383

03/16/2017 House—Committee of the Whole - Substitute bill be passed as amended

03/17/2017 House—Final Action - Substitute passed as amended; Yea: 116 Nay: 3—HJ
460

03/20/2017 Senate—Received and Introduced—SJ 295

03/21/2017 Senate—Referred to Committee on Ethics, Elections and Local
Government—SJ 297

- H 2224** Bill by Elections
Elections; recognition of political parties; petitions.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Elections—HJ 167
- H 2225** Bill by Elections
Advance voting permanent status.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Elections—HJ 167
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 281-N
- H 2226** Bill by Representatives Jones, Alcalá, Alford, Arnberger, Baker, Ballard, Becker, Bishop, Burroughs, Campbell, Carlin, Carmichael, Clayton, Crum, Curtis, Deere, Dierks, Dietrich, Elliott, Ellis, Eplee, Francis, Frownfelter, Gallagher, Gartner, Good, Hibbard, Highberger, Hineman, Hodge, Hoffman, Holscher, Jacobs, Koesten, Kuether, Lewis, Lusk, Lusker, Mastroni, Miller, Murnan, Neighbor, Orr, Ousley, Parker, Phelps, Phillips, Ralph, Sawyer, Schreiber, Schroeder, Seiwert, Sloan, Smith, E., Stogsdill, Swanson, Tarwater, Terrell, Thimesch, Trimmer, Vickrey, Ward, Weber, Weigel, Wolfe Moore
Prohibition of state mental health facility privatization.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Health and Human Services—HJ 167
- H 2227** Bill by Taxation
Property tax levy for the Kansas educational building fund.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Taxation—HJ 167
- H 2228** Bill by Taxation
Allowing property tax exemption on certain property without order of the board of tax appeals.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Taxation—HJ 167
 02/15/2017 House—Hearing: Monday, February 20, 2017, 03:30 PM Room 346-S
 03/07/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 365
 03/14/2017 House—Committee of the Whole - Be passed as amended—HJ 389
 03/15/2017 House—Final Action - Passed as amended; Yea: 119 Nay: 0—HJ 420
 03/15/2017 Senate—Received and Introduced—SJ 247
 03/16/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 252
 05/01/2017 Senate—Hearing: Wednesday, May 03, 2017, 09:30 AM Room 548-S
- H 2229** Bill by Taxation
Classification and taxation of certain oil and gas equipment and materials.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Taxation—HJ 167
- H 2230** Bill by Taxation
Substitute for HB 2230 by Committee on Taxation - Enforcement of certain

provisions of the cigarette and tobacco products act involving licenses, permits, records, unlawful acts and remittance of taxes and deposits; electronic cigarettes, definitions, rates.

- 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Taxation—HJ 167
 02/23/2017 House—Hearing: Monday, March 06, 2017, 03:30 PM Room 346-S
 04/04/2017 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 599
 04/05/2017 House—Committee of the Whole - Substitute bill be passed—HJ 612
 04/06/2017 House—Final Action - Substitute passed; Yea: 124 Nay: 0—HJ 623
 04/06/2017 Senate—Received and Introduced—SJ 488
 04/07/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 500
 05/01/2017 Senate—Hearing: Wednesday, May 03, 2017, 09:30 AM Room 548-S
 05/03/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 591
 05/25/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 755
 05/25/2017 Senate—Emergency Final Action - Substitute passed as amended; Yea: 38 Nay: 0—SJ 756
 05/30/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Johnson, Representative Phillips and Representative Sawyer as conferees—HJ 1056
 05/30/2017 Senate—Motion to accede adopted; Senator Tyson, Senator Kerschen and Senator Holland appointed as conferees—SJ 802
 06/06/2017 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 981
 06/06/2017 House—Conference Committee Report was adopted; Yea: 116 Nay: 0—HJ 1400
 06/09/2017 House—Enrolled and presented to Governor on Friday, June 09, 2017—HJ 1456
 06/26/2017 House—Approved by Governor on Thursday, June 15, 2017—HJ 2110

H 2231 Bill by Taxation

Increasing rates of tax of cigarettes and tobacco products; establishing the cigarette and tobacco products cessation fund.

- 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Taxation—HJ 167

H 2232 Bill by Children and Seniors

Electric monitoring in adult care homes.

- 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Children and Seniors—HJ 167
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 218-N
 02/21/2017 House—Withdrawn from Committee on Children and Seniors; Referred to Committee on Appropriations—HJ 298
 02/22/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Children and Seniors—HJ 310
 03/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 455
 03/22/2017 House—Committee of the Whole - Be passed as amended—HJ 496
 03/23/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 1—HJ 501
 03/23/2017 Senate—Received and Introduced—SJ 311

03/24/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 330

- H 2233** Bill by Insurance
Amending the definition of service contract to include certain motor vehicle-related contracts, exempting such contracts from regulation as insurance.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Insurance—HJ 167
 02/01/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 281-N
 02/16/2017 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 258
 02/23/2017 House—Stricken from Calendar by Rule 1507

- H 2234** Bill by Judiciary
Setting a time in which infectious disease testing of certain offenders must take place.
 01/31/2017 House—Introduced—HJ 161
 02/01/2017 House—Referred to Committee on Judiciary—HJ 167
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 112-N
 02/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 227
 02/17/2017 House—Committee of the Whole - Be passed as amended—HJ 266
 02/20/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 285
 02/20/2017 Senate—Received and Introduced—SJ 180
 02/21/2017 Senate—Referred to Committee on Judiciary—SJ 185
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S
 03/21/2017 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 298
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 620

- H 2235** Bill by Taxation
Concerning Kansas sales and compensating use tax, administration and reporting requirements.
 02/01/2017 House—Introduced—HJ 165
 02/02/2017 House—Referred to Committee on Taxation—HJ 170
 02/10/2017 House—Hearing: Thursday, February 16, 2017, 03:30 PM Room 346-S - CANCELLED
 02/13/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 346-S
 03/29/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 558
 04/03/2017 House—Committee of the Whole - Be passed as amended—HJ 585
 04/04/2017 House—Final Action - Passed as amended; Yea: 104 Nay: 21—HJ 596
 04/04/2017 Senate—Received and Introduced—SJ 440
 04/05/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 472

- H 2236** Bill by Transportation
Required training for certain motor carrier drivers and transportation network company drivers.
 02/01/2017 House—Introduced
 02/02/2017 House—Referred to Committee on Transportation—HJ 170

- H 2237** Bill by Taxation
Concerning taxation; relating to income tax, rates, determination of income, tax credits; motor fuels tax, rates, trip permits, distribution; sales and compensating use tax, food and food ingredients.
 02/01/2017 House—Introduced—HJ 166
 02/01/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 346-S
 02/02/2017 House—Referred to Committee on Taxation—HJ 170
- H 2238** Bill by Taxation
Sales tax exemption, farm production machinery and equipment.
 02/01/2017 House—Introduced—HJ 166
 02/02/2017 House—Referred to Committee on Taxation—HJ 170
- H 2239** Bill by Judiciary
Allowing cities and counties to opt out of the scrap metal theft reduction act.
 02/01/2017 House—Introduced—HJ 166
 02/02/2017 House—Referred to Committee on Judiciary—HJ 170
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 112-N - CANCELLED
 02/14/2017 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 232
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 249
- H 2240** Bill by Judiciary
Enacting the crisis intervention act.
 02/01/2017 House—Introduced—HJ 166
 02/02/2017 House—Referred to Committee on Judiciary—HJ 170
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 112-N
 02/20/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 287
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 349
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 351
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Judiciary—SJ 217
 03/15/2017 Senate—Hearing: Wednesday, March 22, 2017, 10:30 AM Room 346-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 346
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 620
- H 2241** Bill by Water and Environment
Creating the surface water protection fee and the irrigation water use fee and depositing such fees in the state water plan fund.
 02/01/2017 House—Introduced—HJ 166
 02/02/2017 House—Referred to Committee on Water and Environment—HJ 170
 02/03/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 582-N
 02/15/2017 House—Withdrawn from Committee on Water and Environment; Referred to Committee on Taxation—HJ 240

02/16/2017 House—Withdrawn from Committee on Taxation; Rereferred to Committee on Water and Environment—HJ 250

- H 2242** Bill by K-12 Education Budget
Enacting the classroom-based funding act.
02/01/2017 House—Introduced—HJ 166
02/02/2017 House—Referred to Committee on K-12 Education Budget—HJ 170
02/02/2017 House—Hearing: Tuesday, February 07, 2017, 01:30 PM Room 346-S
02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240
- H 2243** Bill by Corrections and Juvenile Justice
Authorizing school security officers to use certain types of emergency safety interventions.
02/01/2017 House—Introduced—HJ 166
02/02/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 170
02/02/2017 House—Hearing: Monday, February 06, 2017, 01:30 PM Room 152-S
- H 2244** Bill by Health and Human Services
Establishing the maternal mortality review committee.
02/01/2017 House—Introduced—HJ 166
02/02/2017 House—Referred to Committee on Health and Human Services—HJ 170
- H 2245** Bill by Representatives Highberger, Becker
Attorney licensure and information; supreme court nominating commission; judicial district nominating commissions.
02/01/2017 House—Introduced—HJ 166
02/02/2017 House—Referred to Committee on Judiciary—HJ 170
02/08/2017 House—Hearing: Wednesday, February 15, 2017, 03:30 PM Room 112-N
- H 2246** Bill by Agriculture
Amendments to the Kansas noxious weed law.
02/01/2017 House—Introduced—HJ 168
02/02/2017 House—Referred to Committee on Agriculture—HJ 170
02/02/2017 House—Hearing: Tuesday, February 07, 2017, 03:30 PM Room 582-N
- H 2247** Bill by Local Government
Authorizing legal publications on internet websites.
02/02/2017 House—Introduced—HJ 169
02/03/2017 House—Referred to Committee on Local Government—HJ 177
02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 281-N
- H 2248** Bill by Local Government
Homeowners associations subject to consumer protection act.
02/02/2017 House—Introduced—HJ 170

02/03/2017 House—Referred to Committee on Local Government—HJ 177

- H 2249** Bill by Commerce, Labor and Economic Development
Eligibility for workers compensation death benefits for a child over the age of 18 enrolled in high school.

02/02/2017 House—Introduced—HJ 170

02/03/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 177

- H 2250** Bill by Taxation
Relating to Taxation; income tax and non-wage business income; sales and compensating use tax, rate on food and food ingredients; establishing the food sales tax reduction fund.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Taxation—HJ 177

- H 2251** Bill by Representative Ousley
Election audits; voting machine requirements; time of canvass.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Elections—HJ 177

02/08/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 281-N

- H 2252** Bill by Education
Amending the tax credit for low income students scholarship program act.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Taxation—HJ 177

02/07/2017 House—Withdrawn from Committee on Taxation; Referred to Committee on Education—HJ 194

- H 2253** Bill by Health and Human Services
Requiring scoliosis screening for every student enrolled in a school district or accredited nonpublic school.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Health and Human Services—HJ 177

- H 2254** Bill by Health and Human Services
Relating to the practice of telehealth.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Health and Human Services—HJ 177

02/08/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 546-S

- H 2255** Bill by Health and Human Services
Establishing certain requirements relating to health benefit plans that offer dental services.

02/02/2017 House—Introduced—HJ 173

02/03/2017 House—Referred to Committee on Health and Human Services—HJ 177

- H 2256** Bill by Elections
Election offenses; electioneering crime changes.
 02/02/2017 House—Introduced—HJ 173
 02/03/2017 House—Referred to Committee on Elections—HJ 177
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 01:30 PM Room 281-N
 02/21/2017 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 307
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 349
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 72 Nay: 52—HJ 355
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 217
 03/15/2017 Senate—Hearing: Wednesday, March 22, 2017, 09:30 AM Room 142-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ethics, Elections and Local Government—SJ 334
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Ethics, Elections and Local Government—SJ 620
- H 2257** Bill by Veterans and Military
Substitute for HB 2257 by Committee on Veterans and Military - Adding an armed services occupation medal decal for distinctive military license plates.
 02/02/2017 House—Introduced—HJ 173
 02/03/2017 House—Referred to Committee on Veterans and Military—HJ 177
 02/06/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 152-S
 02/16/2017 House—Committee Report recommending substitute bill be passed by Committee on Veterans and Military—HJ 261
 02/23/2017 House—Committee of the Whole - Substitute bill be passed as amended—HJ 349
 02/23/2017 House—Emergency Final Action - Substitute passed as amended; Yea: 124 Nay: 0—HJ 355
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Transportation—SJ 217
 03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 08:30 AM Room 546-S
- H 2258** Bill by Judiciary
Prohibiting mental examination of victim of sex offense.
 02/02/2017 House—Introduced—HJ 173
 02/03/2017 House—Referred to Committee on Judiciary—HJ 177
 02/08/2017 House—Hearing: Monday, February 13, 2017, 03:30 PM Room 112-N
- H 2259** Bill by Judiciary
Allowing hearsay at preliminary hearings.
 02/02/2017 House—Introduced—HJ 173
 02/03/2017 House—Referred to Committee on Judiciary—HJ 177
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 112-N

- H 2260** Bill by Judiciary
Allowing probation revocation without graduated sanctions for persons on probation due to downward departure.
 02/02/2017 House—Introduced—HJ 173
 02/03/2017 House—Referred to Committee on Judiciary—HJ 177
 02/08/2017 House—Hearing: Monday, February 13, 2017, 03:30 PM Room 112-N
 02/17/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 277
 02/22/2017 House—Committee of the Whole - Be passed—HJ 320
 02/23/2017 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 344
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Judiciary—SJ 214
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 10:30 AM Room 346-S
- H 2261** Bill by Representatives Corbet, Alcala, Clark, Osterman, Phillips, Ruiz
Providing a sales tax exemption for certain veterans service organizations.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Taxation—HJ 177
 03/08/2017 House—Hearing: Tuesday, March 14, 2017, 03:30 PM Room 346-S
- H 2262** Bill by Corrections and Juvenile Justice
Department of corrections requests for law enforcement assistance from jurisdictions outside the state of Kansas.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 177
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 152-S
 02/21/2017 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 307
 02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 349
 02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 353
 03/06/2017 Senate—Received and Introduced—SJ 215
 03/07/2017 Senate—Referred to Committee on Judiciary—SJ 217
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 10:30 AM Room 346-S
- H 2263** Bill by Corrections and Juvenile Justice
Authorizing the secretary of corrections to sell products to contractors and vendors of government entities.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 177
- H 2264** Bill by Corrections and Juvenile Justice
Substitute for HB 2264 by Committee on Corrections and Juvenile Justice - Clarifying criminal sentencing for certain persons subject to a mandatory minimum term of imprisonment.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 177

02/03/2017 House—Hearing: Wednesday, February 08, 2017, 01:30 PM Room 152-S
 02/15/2017 House—Withdrawn from Committee on Corrections and Juvenile Justice;
 Referred to Committee on Appropriations—HJ 240
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Corrections and Juvenile Justice—HJ 249
 03/16/2017 House—Committee Report recommending substitute bill be passed by
 Committee on Corrections and Juvenile Justice—HJ 456

- H 2265** Bill by Corrections and Juvenile Justice
Amending the definition of a federal law enforcement officer.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 177
- H 2266** Bill by Financial Institutions and Pensions
**Allowing retirants who retire from two plans under KPERS to receive an
 additional lump-sum death benefit.**
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ
 177
 02/08/2017 House—Hearing: Monday, February 13, 2017, 09:00 AM Room 281-N
- H 2267** Bill by Financial Institutions and Pensions
Amending requirements for certain consumer loan transactions.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ
 177
 02/22/2017 House—Withdrawn from Committee on Financial Institutions and
 Pensions; Referred to Committee on Federal and State Affairs—HJ 320
- H 2268** Bill by Financial Institutions and Pensions
Modifying certain KPERS working after retirement provisions.
 02/02/2017 House—Introduced—HJ 174
 02/03/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ
 177
 02/08/2017 House—Hearing: Monday, February 13, 2017, 09:00 AM Room 281-N
 02/17/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Financial Institutions and Pensions—HJ 267
 02/21/2017 House—Committee of the Whole - Be passed as amended—HJ 302
 02/22/2017 House—Final Action - Passed as amended; Yea: 116 Nay: 9—HJ 318
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Financial Institutions and Insurance—
 SJ 202
 03/09/2017 Senate—Hearing: Tuesday, March 14, 2017, 09:30 AM Room 546-S
 03/23/2017 Senate—Committee Report recommending bill be passed by Committee on
 Financial Institutions and Insurance—SJ 314
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial
 Institutions and Insurance—SJ 620

- H 2269** Bill by Transportation
Increasing certificate of title fees on motor vehicles.
 02/03/2017 House—Introduced—HJ 177
 02/06/2017 House—Referred to Committee on Transportation—HJ 185
- H 2270** Bill by K-12 Education Budget
Creating the education finance act.
 02/03/2017 House—Introduced—HJ 177
 02/06/2017 House—Referred to Committee on K-12 Education Budget—HJ 185
 02/08/2017 House—Hearing: Wednesday, February 15, 2017, 01:30 PM Room 346-S
 02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
 02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240
- H 2271** Bill by Corrections and Juvenile Justice
Clarifying the criminal sentencing statute for a person with intellectual disability who is convicted of capital murder.
 02/03/2017 House—Introduced—HJ 181
 02/06/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 185
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 152-S
 02/16/2017 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 258
 02/23/2017 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 356
- H 2272** Bill by Water and Environment
Substitute for HB 2272 by Committee on Water and Environment – Establishing the Kansas water authority science and research subcommittee.
 02/03/2017 House—Introduced—HJ 181
 02/06/2017 House—Referred to Committee on Water and Environment—HJ 185
 02/07/2017 House—Hearing: Thursday, February 09, 2017, 09:00 AM Room 582-N
 02/13/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 582-N - CANCELLED
 02/17/2017 House—Committee Report recommending substitute bill be passed by Committee on Water and Environment—HJ 279
 02/22/2017 House—Committee of the Whole - Substitute bill be passed—HJ 328
 02/23/2017 House—Final Action - Substitute passed; Yea: 77 Nay: 48—HJ 345
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 214
- H 2273** Bill by Federal and State Affairs
Kansas no-call act; restrictions on use of automatic dialing-announcing devices.
 02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Federal and State Affairs—HJ 194
 02/22/2017 House—Hearing: Wednesday, March 08, 2017, 09:00 AM Room 346-S
 03/15/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 421

03/24/2017 House—Committee of the Whole - Be passed—HJ 517
 03/27/2017 House—Final Action - Passed; Yea: 121 Nay: 1—HJ 528
 03/27/2017 Senate—Received and Introduced—SJ 351
 03/28/2017 Senate—Referred to Committee on Utilities—SJ 358

H 2274 Bill by Federal and State Affairs
Authorizing the Kansas highway patrol to enter into a memorandum of agreement with the department of homeland security concerning enforcement of immigration laws.

02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Federal and State Affairs—HJ 194

H 2275 Bill by Federal and State Affairs
Prohibiting adoption of sanctuary policies by municipalities.

02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Federal and State Affairs—HJ 194

H 2276 Bill by Federal and State Affairs
Amending statutes concerning dangerous regulated animals.

02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Federal and State Affairs—HJ 194
 03/15/2017 House—Hearing: Wednesday, March 22, 2017, 09:00 AM Room 346-S

H 2277 Bill by Local Government
Substitute for HB 2277 by Committee on Local Government - Alcoholic liquor; common consumption areas; cities and counties; class B club membership, waiting period.

02/06/2017 House—Introduced—HJ 185
 02/06/2017 House—Hearing: Thursday, February 09, 2017, 01:30 PM Room 281-N
 02/07/2017 House—Referred to Committee on Local Government—HJ 194
 02/14/2017 House—Withdrawn from Committee on Local Government; Referred to Committee on Appropriations—HJ 232
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Local Government—HJ 250
 03/21/2017 House—Committee Report recommending substitute bill be passed by Committee on Local Government—HJ 487
 03/30/2017 House—Committee of the Whole - Substitute bill be passed as amended—HJ 572
 04/03/2017 House—Final Action - Substitute passed as amended; Yea: 114 Nay: 11—HJ 583
 04/04/2017 Senate—Received and Introduced—SJ 434
 04/05/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 472
 05/10/2017 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 651
 05/16/2017 Senate—Committee of the Whole - Be passed as amended—SJ 705
 05/16/2017 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 5—SJ 709
 05/23/2017 House—Concurred with amendments; Yea: 97 Nay: 22—HJ 1026
 05/30/2017 House—Enrolled and presented to Governor on Tuesday, May 30, 2017—HJ 1072

06/07/2017 House—Approved by Governor on Wednesday, June 7, 2017—HJ 1434

H 2278 Bill by Representative Huebert
Senate Substitute for HB 2278 by Committee on Ways and Means - Prohibiting the carrying of concealed weapons in certain buildings.

02/06/2017 House—Introduced—HJ 185

02/07/2017 House—Referred to Committee on Local Government—HJ 194

02/08/2017 House—Hearing and possible action: Thursday, February 16, 2017, 01:30 PM Room 281-N

02/17/2017 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 277

02/22/2017 House—Committee of the Whole - Be passed—HJ 329

02/23/2017 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 345

02/23/2017 Senate—Received and Introduced—SJ 211

03/06/2017 Senate—Referred to Committee on Ethics, Elections and Local Government—SJ 214

03/08/2017 Senate—Hearing: Tuesday, March 14, 2017, 09:30 AM Room 142-S

03/22/2017 Senate—Withdrawn from Committee on Ethics, Elections and Local Government; Referred to Committee on Ways and Means—SJ 303

03/23/2017 Senate—Hearing and possible action: Thursday, March 23, 2017, 10:30 AM Room 548-S

05/05/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 617

05/16/2017 Senate—Committee of the Whole - Motion by Senator V. Schmidt to rerefer to Committee on Ways and Means passed—SJ 708

05/24/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 751

06/01/2017 Senate—Committee of the Whole - Enacting clause be stricken Yea: 12 Nay: 27—SJ 812

06/01/2017 Senate—Senator Olson motioned to return jointly to Committees. The motion failed.. Yea: 11 Nay: 27—SJ 812

06/01/2017 Senate—Committee of the Whole - Substitute bill be passed as amended Yea: 24 Nay: 16—SJ 812

06/01/2017 Senate—Emergency Final Action - Substitute passed; Yea: 24 Nay: 16—SJ 820

06/01/2017 House—Motion to nonconcur with amendments and appoint conferees failed; Yea: 33 Nay: 91—HJ 1103

06/01/2017 House—Concurred with amendments; Yea: 91 Nay: 33—HJ 1103

06/05/2017 House—Enrolled and presented to Governor on Monday, June 05, 2017—HJ 1398

06/26/2017 House—Will become law without Governor's signature

H 2279 Bill by Appropriations
Relating to disposition of failure to comply with traffic citation reinstatement fees and the judicial branch nonjudicial salary adjustment fund.

02/06/2017 House—Introduced—HJ 185

02/07/2017 House—Referred to Committee on Appropriations—HJ 194

02/08/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 112-N

03/21/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 484

04/05/2017 House—Committee of the Whole - Be passed as amended—HJ 612

04/06/2017 House—Final Action - Passed as amended; Yea: 72 Nay: 52—HJ 624
 04/06/2017 Senate—Received and Introduced—SJ 488
 04/07/2017 Senate—Referred to Committee on Ways and Means—SJ 500

H 2280 Bill by Representative Ward

Adding a minority party member to the state rules and regulations board, designating a ranking minority party member on the joint committee on administrative rules and regulations and requiring agencies to review rules and regulations impacting business.

02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Federal and State Affairs—HJ 194
 02/22/2017 House—Hearing: Thursday, March 09, 2017, 09:00 AM Room 346-S
 03/15/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 421
 03/27/2017 House—Committee of the Whole - Be passed—HJ 530
 03/28/2017 House—Final Action - Passed; Yea: 122 Nay: 1—HJ 539
 03/28/2017 Senate—Received and Introduced—SJ 364
 03/29/2017 Senate—Referred to Committee on Ways and Means—SJ 369
 03/30/2017 Senate—Hearing: Tuesday, April 04, 2017, 09:00 AM Room 548-S
 05/02/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 543
 05/15/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 702
 05/16/2017 Senate—Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 705
 05/18/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Highland and Representative Ruiz as conferees—HJ 985
 05/23/2017 Senate—Motion to accede adopted; Senator V. Schmidt, Senator Billinger and Senator Kelly appointed as conferees—SJ 733
 06/03/2017 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 5—SJ 838

H 2281 Bill by Transportation

Providing for the Kansas 4-H foundation distinctive license plate.

02/06/2017 House—Introduced—HJ 185
 02/07/2017 House—Referred to Committee on Transportation—HJ 194
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 582-N

H 2282 Bill by Commerce, Labor and Economic Development

Kansas liquor control act and retailer's licenses.

02/06/2017 House—Introduced—HJ 189
 02/07/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 194
 02/07/2017 House—Hearing: (opponents) Tuesday, February 14, 2017, 01:30 PM Room 112-N
 02/07/2017 House—Hearing: (proponents) Monday, February 13, 2017, 01:30 PM Room 112-N
 02/16/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 261
 04/03/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 578

- H 2283** Bill by Taxation
Providing for state income taxation of retirement contributions by certain employees of the state board of regents.
 02/06/2017 House—Introduced—HJ 190
 02/06/2017 House—Hearing: Wednesday, February 08, 2017, 03:30 PM Room 346-S
 02/07/2017 House—Referred to Committee on Taxation—HJ 194
- H 2284** Bill by Corrections and Juvenile Justice
Changing age ranges for crimes of unlawful possession of a visual depiction of a child and unlawful transmission of a visual depiction of a child.
 02/06/2017 House—Introduced—HJ 190
 02/07/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 194
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 152-S
- H 2285** Bill by Health and Human Services
Reimbursement to eligible providers for medicaid ground emergency medical transportation services.
 02/07/2017 House—Introduced—HJ 192
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
- H 2286** Bill by Taxation
Income tax on corporations; increasing rate of normal tax to 5%.
 02/07/2017 House—Introduced—HJ 192
 02/08/2017 House—Referred to Committee on Taxation—HJ 200
- H 2287** Bill by Taxation
Expanding the Kansas itemized deduction.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Taxation—HJ 200
- H 2288** Bill by K-12 Education Budget
Requiring school districts use generally accepted accounting principles.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on K-12 Education Budget—HJ 200
 02/13/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 346-S - CANCELLED
 02/15/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 240
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 250
- H 2289** Bill by Financial Institutions and Pensions
Allowing certain time away from work or normal duties to be credited as participating service under KPERS and KP&F.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ 200
 02/08/2017 House—Hearing: Monday, February 13, 2017, 09:00 AM Room 281-N

02/15/2017 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Appropriations—HJ 240
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Financial Institutions and Pensions—HJ 249
 03/14/2017 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Pensions—HJ 391
 03/22/2017 House—Committee of the Whole - Be passed as amended—HJ 496
 03/23/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 1—HJ 502
 03/23/2017 Senate—Received and Introduced—SJ 311
 03/24/2017 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 330

- H 2290** Bill by Corrections and Juvenile Justice
Changing the age range for unlawful voluntary sexual relations.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 200
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 152-S
- H 2291** Bill by Corrections and Juvenile Justice
Providing for transfer of inmates in the custody of the secretary of corrections to custody of the sheriff for admission to a state psychiatric hospital.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 200
 02/09/2017 House—Hearing: Thursday, February 16, 2017, 01:30 PM Room 152-S
- H 2292** Bill by Corrections and Juvenile Justice
Allowing felons to dispense alcohol in connection with employment.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 200
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 152-S
- H 2293** Bill by Representatives Ousley, Gallagher, Bishop, Brim, Burroughs, Carlin, Carmichael, Crum, Finney, Gartner, Henderson, Highberger, Kessinger, Koesten, Kuether, Lusk, Lusker, Parker, Ruiz, Sawyer, Schreiber, Smith, A., Stogsdill, Terrell, Trimmer, Weigel, Whipple, Wilson
Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Judiciary—HJ 200
- H 2294** Bill by Health and Human Services
Requiring targeted case management for recipients of home and community based services.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200

- H 2295** Bill by Health and Human Services
Requiring that closed captioning be enabled on televisions in public areas of places of public accommodation.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
- H 2296** Bill by Health and Human Services
Merging the Kansas board of barbering and the Kansas state board of cosmetology into the Kansas board of barbering, cosmetology and body art.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
- H 2297** Bill by Health and Human Services
Pertaining to training requirements for certified nurse aides providing care in adult care homes.
 02/07/2017 House—Introduced—HJ 193
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
 02/17/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 546-S
- H 2298** Bill by Health and Human Services
Increasing fee caps for the Kansas board of barbering.
 02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
- H 2299** Bill by Health and Human Services
Establishing an independent home and community based services ombudsman.
 02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
 02/16/2017 House—Withdrawn from Committee on Health and Human Services;
 Referred to Committee on Appropriations—HJ 261
 02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
 Committee on Health and Human Services—HJ 282
 03/08/2017 House—Hearing: Monday, March 13, 2017, 01:30 PM Room 546-S -
 CANCELLED
- H 2300** Bill by Health and Human Services
Enacting the Rx transparency act.
 02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Health and Human Services—HJ 200
- H 2301** Bill by Judiciary
Removing addresses from lists of prospective jurors;; legislative review of exceptions to disclosure of public records; procedure and justifications for closed or executive meetings; closed or executive meetings of the governor's domestic violence fatality review board.
 02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Judiciary—HJ 200
 02/13/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 112-N

02/17/2017 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 277
 02/22/2017 House—Final Action - Passed; Yea: 125 Nay: 0—HJ 313
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Judiciary—SJ 202
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 10:30 AM Room 346-S
 03/15/2017 Senate—Hearing: Thursday, March 16, 2017, 10:30 AM Room 346-S
 03/16/2017 Senate—Hearing: Thursday, March 16, 2017, 10:40 AM Room 346-S
 03/20/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 296
 03/29/2017 Senate—Committee of the Whole - Be passed as amended—SJ 382
 03/30/2017 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 401
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Finch, Representative Patton and Representative Carmichael as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator Wilborn, Senator Lynn and Senator Haley appointed as conferees—SJ 435
 05/03/2017 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 588
 05/05/2017 House—Conference Committee Report was adopted; Yea: 118 Nay: 3—HJ 813
 05/09/2017 House—Enrolled and presented to Governor on Tuesday, May 09, 2017—HJ 869
 05/16/2017 House—Approved by Governor on Monday, May 15, 2017—HJ 968

H 2302 Bill by Judiciary**Relating to the custody and disposition of cruelly treated animals.**

02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Judiciary—HJ 200
 02/09/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 112-N
 02/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 277
 02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 328
 02/23/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 1—HJ 346
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Judiciary—SJ 214
 03/15/2017 Senate—Hearing: Tuesday, March 21, 2017, 10:30 AM Room 346-S

H 2303 Bill by Elections**Candidate for president; certain criteria to have name on the ballot.**

02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Elections—HJ 200

H 2304 Bill by Representative Burroughs**Senate Substitute for HB 2304 by Committee on Public Health and Welfare - Child care facilities background check and sleeping area requirements.**

02/07/2017 House—Introduced—HJ 194
 02/08/2017 House—Referred to Committee on Children and Seniors—HJ 200
 02/13/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 218-N
 02/21/2017 House—Committee Report recommending bill be passed as amended by

Committee on Children and Seniors—HJ 306

02/23/2017 House—Committee of the Whole - Be passed as amended—HJ 349

02/23/2017 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 5—
HJ 354

03/06/2017 Senate—Received and Introduced—SJ 215

03/07/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 217

03/20/2017 Senate—Hearing: Wednesday, March 22, 2017, 09:30 AM Room 118-N

03/24/2017 Senate—Committee Report recommending substitute bill be passed by
Committee on Public Health and Welfare—SJ 348

03/28/2017 Senate—Committee of the Whole - Substitute bill be passed as amended—
SJ 364

03/29/2017 Senate—Final Action - Substitute passed as amended; Yea: 27 Nay: 13—SJ
376

04/05/2017 House—Concurred with amendments; Yea: 118 Nay: 6—HJ 613

04/07/2017 House—Enrolled and presented to Governor on Friday, April 07, 2017—HJ
677

05/01/2017 House—Approved by Governor on Wednesday, April 12, 2017—HJ 676

H 2305 Bill by Higher Education Budget

**Exempting Cleveland university-Kansas City from the Kansas private and out-of-
state postsecondary educational institution act.**

02/07/2017 House—Introduced—HJ 196

02/08/2017 House—Referred to Committee on Higher Education Budget—HJ 200

H 2306 Bill by Judiciary

**Amending provisions concerning annual examinations, transitional release and
conditional release of sexually violent predators.**

02/07/2017 House—Introduced—HJ 196

02/08/2017 House—Referred to Committee on Judiciary—HJ 200

02/09/2017 House—Hearing: Thursday, February 16, 2017, 03:30 PM Room 112-N -
CANCELLED

02/09/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 112-N

02/14/2017 House—Withdrawn from Committee on Judiciary; Referred to Committee
on Appropriations—HJ 232

02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to
Committee on Judiciary—HJ 249

02/22/2017 House—Hearing: Monday, March 06, 2017, 03:30 PM Room 112-N

03/23/2017 House—Committee Report recommending bill be passed as amended by
Committee on Judiciary—HJ 505

03/27/2017 House—Committee of the Whole - Be passed as amended—HJ 531

03/28/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 540

03/28/2017 Senate—Received and Introduced—SJ 364

03/29/2017 Senate—Referred to Committee on Judiciary—SJ 369

H 2307 Bill by Representatives Powell, Arnberger, Awerkamp, Blex, Campbell, Carpenter,

Corbet, DeGraaf, Dove, Eplee, Esau, Humphries, Jacobs, Jones, Karleskint,
Lakin, Osterman, Patton, Proehl, Rafie, Schreiber, Seiwert, Smith, E., Sutton,
Tarwater, Thimesch, Thompson, Vickrey, Weber, Whitmer

Withholding life-sustaining treatment from patients under 18 years of age.

02/08/2017 House—Introduced—HJ 199

02/09/2017 House—Referred to Committee on Federal and State Affairs—HJ 209
 03/15/2017 House—Hearing: Tuesday, March 21, 2017, 09:00 AM Room 346-S

H 2308 Bill by Representative Houser

Suicide evaluation upon admission to certain treatment facilities.

02/08/2017 House—Introduced—HJ 199
 02/09/2017 House—Referred to Committee on Federal and State Affairs—HJ 209
 03/15/2017 House—Hearing: Tuesday, March 21, 2017, 09:00 AM Room 346-S -
 CANCELLED
 03/22/2017 House—Hearing: Wednesday, March 29, 2017, 09:00 AM Room 346-S -
 CANCELLED
 03/22/2017 House—Hearing: Monday, March 27, 2017, 09:00 AM Room 346-S -
 CANCELLED

H 2309 Bill by Children and Seniors

Requiring certain records to become public records if a child in the custody of the secretary for children and families is sexually abused or suffers great bodily harm or death.

02/08/2017 House—Introduced—HJ 199
 02/09/2017 House—Referred to Committee on Children and Seniors—HJ 209
 02/13/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 218-N
 03/08/2017 House—Hearing: Thursday, March 16, 2017, 09:00 AM Room 218-N -
 CANCELLED

H 2310 Bill by Elections

Municipal election changes; bond law clarification; other changes.

02/08/2017 House—Introduced—HJ 199
 02/09/2017 House—Referred to Committee on Elections—HJ 209
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 281-N

H 2311 Bill by Water and Environment

Maintenance requirements for streambank stabilization and water quality protection projects.

02/08/2017 House—Introduced—HJ 199
 02/08/2017 House—Hearing: Tuesday, February 14, 2017, 09:00 AM Room 582-N
 02/09/2017 House—Referred to Committee on Water and Environment—HJ 209

H 2312 Bill by Water and Environment

Amending the administrative hearing process for the department of agriculture.

02/08/2017 House—Introduced—HJ 199
 02/08/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 582-N
 02/09/2017 House—Referred to Committee on Water and Environment—HJ 209
 02/16/2017 House—Committee Report recommending bill be passed by Committee on
 Water and Environment—HJ 261
 02/22/2017 House—Committee of the Whole - Be passed—HJ 320
 02/23/2017 House—Final Action - Passed; Yea: 121 Nay: 4—HJ 346
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Agriculture and Natural Resources—SJ

- 03/10/2017 Senate—Hearing: Wednesday, March 15, 2017, 08:30 AM Room 159-S
 03/16/2017 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 290
 03/27/2017 Senate—Committee of the Whole - Be passed—SJ 352
 03/28/2017 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 363
 04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

H 2313 Bill by Federal and State Affairs

Kansas lottery; permit lottery ticket vending machines; repealing lottery sunset.

- 02/08/2017 House—Introduced—HJ 199
 02/09/2017 House—Referred to Committee on Federal and State Affairs—HJ 209
 02/22/2017 House—Hearing: Tuesday, March 07, 2017, 09:00 AM Room 346-S
 03/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 463
 03/22/2017 House—Committee of the Whole - Be passed as amended—HJ 496
 03/23/2017 House—Final Action - Passed as amended; Yea: 100 Nay: 25—HJ 502
 03/23/2017 Senate—Received and Introduced—SJ 311
 03/24/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 330
 03/27/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 355
 03/30/2017 Senate—Committee of the Whole - Be passed as amended—SJ 402
 03/30/2017 Senate—Emergency Final Action - Passed as amended; Yea: 30 Nay: 10—SJ 428
 04/03/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Highland and Representative Ruiz as conferees—HJ 591
 04/04/2017 Senate—Motion to accede adopted; Senator LaTurner, Senator Estes and Senator Faust-Goudeau appointed as conferees—SJ 435
 05/11/2017 Senate—Senator Estes is appointed to replace Senator LaTurner on the Conference Committee—SJ 655
 05/11/2017 Senate—Senator Olson is appointed to replace Senator Estes on the Conference Committee—SJ 655
 05/18/2017 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 16—SJ 719
 05/31/2017 House—Challenge under Joint Rule 3(f) regarding subject matters contained in a conference committee report; report ruled in order and ruling was sustained.—HJ 1096
 05/31/2017 House—Conference Committee Report not adopted; Representative Barker, Representative Highland and Representative Ruiz appointed as second conferees—HJ 1096
 06/01/2017 Senate—Motion to accede adopted; Senator Estes, Senator Olson and Senator Faust-Goudeau appointed as second conferees—SJ 811
 06/02/2017 House—Representative Highland, Representative Williams, and Representative Ruiz are appointed to replace Representative Barker, Representative Highland, and Representative Ruiz on the Conference Committee—HJ 1105
 06/06/2017 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 4—SJ 1004
 06/06/2017 House—Conference Committee Report was adopted; Yea: 98 Nay: 19—HJ

1423

06/09/2017 House—Enrolled and presented to Governor on Friday, June 09, 2017—HJ 1456

06/26/2017 House—Vetoed by Governor; Returned to House on Thursday, June 15, 2017

06/26/2017 House—No motion to reconsider vetoed bill; Veto sustained

- H 2314** Bill by Taxation
Authorizing use of ad valorem taxes to pay for capital improvements within a redevelopment district encompassing a federal enclave; authorizing issuance of bonds.

02/08/2017 House—Introduced—HJ 199

02/09/2017 House—Referred to Committee on Taxation—HJ 209

02/23/2017 House—Hearing: Monday, March 06, 2017, 03:30 PM Room 346-S

- H 2315** Bill by Taxation
Income tax, rates, modifications, credits; cigarettes and tobacco products, rates; alcoholic beverages, liquor enforcement, rates; business entities, filing fees.

02/08/2017 House—Introduced—HJ 199

02/09/2017 House—Referred to Committee on Taxation—HJ 209

02/10/2017 House—Hearing: Tuesday, February 14, 2017, 03:30 PM Room 346-S - CANCELLED

02/13/2017 House—Hearing: Thursday, February 16, 2017, 03:30 PM Room 346-S

02/23/2017 House—Committee Report, be amended without recommendation by Committee on Taxation—HJ 356

- H 2316** Bill by Representative Ward
Enacting the Kansas working families pay raise act.

02/08/2017 House—Introduced—HJ 200

02/09/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 209

- H 2317** Bill by Representative Whipple
Requiring applicable OSHA training for workers working on high voltage electric transmission lines.

02/08/2017 House—Introduced—HJ 200

02/09/2017 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 209

- H 2318** Bill by Representative Stogsdill
Creating the Kansas arts commission and transferring certain functions to it from the Kansas creative industries commission.

02/08/2017 House—Introduced—HJ 204

02/09/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 209

- H 2319** Bill by Representatives Arnberger, Awerkamp, Blex, Cox, DeGraaf, Ellis, Esau, Garber, Highland, Huebert, Humphries, Jacobs, Landwehr, Osterman, Rafie, Rahjes, Vickrey, Weber, Williams
Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
 02/08/2017 House—Introduced—HJ 204
 02/09/2017 House—Referred to Committee on Federal and State Affairs—HJ 209
 03/08/2017 House—Hearing: Tuesday, March 14, 2017, 09:00 AM Room 346-S
 03/27/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 531
 03/29/2017 House—Committee of the Whole - Be passed Yea: 85 Nay: 38—HJ 556
 03/30/2017 House—Final Action - Passed; Yea: 87 Nay: 37—HJ 566
 03/30/2017 Senate—Received and Introduced—SJ 412
 04/03/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 430
- H 2320** Bill by Judiciary
Clarifying who receives notice of request for disclosure of warrants.
 02/08/2017 House—Introduced—HJ 204
 02/08/2017 House—Hearing: Thursday, February 16, 2017, 03:30 PM Room 112-N
 02/09/2017 House—Referred to Committee on Judiciary—HJ 209
 02/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 277
 02/22/2017 House—Committee of the Whole - Be passed as amended—HJ 329
 02/23/2017 House—Final Action - Passed as amended; Yea: 125 Nay: 0—HJ 347
 02/23/2017 Senate—Received and Introduced—SJ 211
 03/06/2017 Senate—Referred to Committee on Judiciary—SJ 214
 03/15/2017 Senate—Hearing: Monday, March 20, 2017, 10:30 AM Room 346-S
- H 2321** Bill by Judiciary
Amending citizen grand jury petition sufficiency and right to appeal.
 02/08/2017 House—Introduced—HJ 204
 02/09/2017 House—Referred to Committee on Judiciary—HJ 209
- H 2322** Bill by Representative Jones
Sales tax holiday for certain back-to-school items.
 02/08/2017 House—Introduced—HJ 204
 02/09/2017 House—Referred to Committee on Taxation—HJ 209
- H 2323** Bill by Appropriations
Providing a post-retirement benefit increase (COLA) for certain retirants of KPERS.
 02/08/2017 House—Introduced—HJ 205
 02/09/2017 House—Referred to Committee on Appropriations—HJ 209
- H 2324** Bill by Appropriations
School district finance and quality performance act of 2017.
 02/08/2017 House—Introduced—HJ 205
 02/09/2017 House—Referred to Committee on K-12 Education Budget—HJ 209
 02/13/2017 House—Hearing: Thursday, February 16, 2017, 01:30 PM Room 346-S

02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236

02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240

H 2325 Bill by Taxation

Enacting the fair share act.

02/08/2017 House—Introduced—HJ 205

02/09/2017 House—Referred to Committee on Taxation—HJ 209

H 2326 Bill by Commerce, Labor and Economic Development

Employee wage deductions.

02/09/2017 House—Introduced—HJ 208

02/10/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 217

02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 262

02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 282

03/07/2017 House—Hearing: Monday, March 13, 2017, 01:30 PM Room 112-N

H 2327 Bill by Commerce, Labor and Economic Development

Restoring local control over wages, benefits and other labor-related matters by regulation and in public construction contracts.

02/09/2017 House—Introduced—HJ 208

02/10/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 217

H 2328 Bill by Commerce, Labor and Economic Development

Requiring accident prevention programs as a prerequisite to workers compensation insurance coverage unless declined by the covered employer.

02/09/2017 House—Introduced—HJ 208

02/10/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 217

H 2329 Bill by Commerce, Labor and Economic Development

Amending certain employment security benefit provisions relating to receipt of separation pay.

02/09/2017 House—Introduced—HJ 208

02/10/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 217

02/13/2017 House—Hearing: Friday, February 17, 2017, 01:30 PM Room 112-N

02/21/2017 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 306

02/23/2017 House—Committee of the Whole - Be passed—HJ 349

02/23/2017 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 354

03/06/2017 Senate—Received and Introduced—SJ 215

03/07/2017 Senate—Referred to Committee on Commerce—SJ 217

03/08/2017 Senate—Hearing: Thursday, March 16, 2017, 08:30 AM Room 548-S
 03/22/2017 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 304
 03/28/2017 Senate—Committee of the Whole - Be passed—SJ 365
 03/29/2017 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 377
 04/04/2017 House—Enrolled and presented to Governor on Tuesday, April 04, 2017—HJ 605
 05/01/2017 House—Approved by Governor on Friday, April 7, 2017—HJ 676

H 2330 Bill by Commerce, Labor and Economic Development
Restoring local control over employee scheduling policies.

02/09/2017 House—Introduced—HJ 208
 02/10/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 217

H 2331 Bill by Government, Technology and Security
Substitute for HB 2331 by Committee on Government, Technology and Security - Enacting the representative Jim Morrison cybersecurity act and establishing the Kansas information technology enterprise.

02/09/2017 House—Introduced—HJ 208
 02/10/2017 House—Referred to Committee on Government, Technology and Security—HJ 218
 02/14/2017 House—Hearing: Wednesday, February 15, 2017, 09:00 AM Room 218-N
 02/20/2017 House—Withdrawn from Committee on Government, Technology and Security; Referred to Committee on Appropriations—HJ 282
 02/21/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Government, Technology and Security—HJ 298
 03/15/2017 House—Committee Report recommending substitute bill be passed by Committee on Government, Technology and Security—HJ 421
 03/17/2017 House—Committee of the Whole - Substitute bill be passed as amended—HJ 463
 03/20/2017 House—Final Action - Substitute passed as amended; Yea: 90 Nay: 28—HJ 469
 03/20/2017 Senate—Received and Introduced—SJ 295
 03/22/2017 Senate—Referred to Committee on Ways and Means—SJ 301
 03/24/2017 Senate—Hearing and possible action: Monday, March 27, 2017, 10:30 AM Room 548-S

H 2332 Bill by Government, Technology and Security
Relating to disclosure of electronic communications and electronically stored data.

02/09/2017 House—Introduced—HJ 208
 02/10/2017 House—Referred to Committee on Government, Technology and Security—HJ 218
 02/10/2017 House—Hearing: Wednesday, February 15, 2017, 09:00 AM Room 218-N - CANCELLED
 02/20/2017 House—Withdrawn from Committee on Government, Technology and Security; Referred to Committee on Appropriations—HJ 282
 02/21/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Government, Technology and Security—HJ 298
 02/22/2017 House—Hearing: Monday, March 06, 2017, 09:00 AM Room 218-N

- H 2333** Bill by Elections
Audits of election results; voting machine requirements; timing of the canvass.
 02/09/2017 House—Introduced—HJ 208
 02/10/2017 House—Referred to Committee on Elections—HJ 218
 02/10/2017 House—Hearing: Monday, February 13, 2017, 01:30 PM Room 281-N
 02/16/2017 House—Committee Report recommending bill be passed as amended by
 Committee on Elections—HJ 258
 02/21/2017 House—Committee of the Whole - Be passed as amended—HJ 308
 02/22/2017 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 318
 02/22/2017 Senate—Received and Introduced—SJ 199
 02/23/2017 Senate—Referred to Committee on Ethics, Elections and Local
 Government—SJ 202
 03/08/2017 Senate—Hearing: Wednesday, March 15, 2017, 09:30 AM Room 142-S
 03/24/2017 Senate—Committee Report recommending bill be passed as amended by
 Committee on Ethics, Elections and Local Government—SJ 334
 05/08/2017 Senate—Withdrawn from Calendar, Rereferred to Committee on Ethics,
 Elections and Local Government—SJ 620
- H 2334** Bill by Elections
Gubernatorial elections; independent candidate; petition requirements.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Elections—HJ 218
- H 2335** Bill by Judiciary
**Removing limitation on punitive damages and sending a portion of award to the
 state general fund.**
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Judiciary—HJ 218
- H 2336** Bill by Judiciary
Application of collateral source payments.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Judiciary—HJ 218
- H 2337** Bill by Judiciary
**Amending the Kansas false claims act, concerning medicaid-related fraud and
 abuse.**
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Judiciary—HJ 218
- H 2338** Bill by Corrections and Juvenile Justice
Making comment sessions of the prison review board private.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ
 217
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 152-S

- H 2339** Bill by Federal and State Affairs
Exemption from criminal possession of a silencer.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Federal and State Affairs—HJ 218
- H 2340** Bill by Appropriations
Transferring actual SGF revenues in excess of the joint estimate of revenue to the budget stabilization fund and prescribing uses for moneys credited to such fund.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Appropriations—HJ 217
 03/08/2017 House—Hearing: Thursday, March 16, 2017, 09:00 AM Room 112-N
- H 2341** Bill by Taxation
Adding Cowley and Seward counties to the list of rural opportunity zones.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Taxation—HJ 218
 02/15/2017 House—Hearing: Monday, February 20, 2017, 03:30 PM Room 346-S
 03/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 464
- H 2342** Bill by Taxation
Permitting injured workers to choose their health care providers.
 02/09/2017 House—Introduced—HJ 209
 02/10/2017 House—Referred to Committee on Taxation—HJ 218
- H 2343** Bill by Federal and State Affairs
Ensuring nondiscrimination of organ transplants on the basis of disability.
 02/09/2017 House—Introduced—HJ 215
 02/10/2017 House—Referred to Committee on Children and Seniors—HJ 217
 02/13/2017 House—Hearing: Thursday, February 16, 2017, 09:00 AM Room 218-N - CANCELLED
 03/10/2017 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 379
 03/16/2017 House—Committee of the Whole - Be passed—HJ 448
 03/17/2017 House—Final Action - Passed; Yea: 119 Nay: 0—HJ 460
 03/20/2017 Senate—Received and Introduced—SJ 295
 03/21/2017 Senate—Referred to Committee on Public Health and Welfare—SJ 297
- H 2344** Bill by K-12 Education Budget
Requiring the adoption of a local foundation budget by each school district and the levying of a property tax for the financing thereof.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on K-12 Education Budget—HJ 221
 02/13/2017 House—Hearing: Friday, February 17, 2017, 01:30 PM Room 346-S
 02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
 02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240

- H 2345** Bill by K-12 Education Budget
Authorizing school districts to adopt a local activities budget and levy property taxes for the finance thereof.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on K-12 Education Budget—HJ 221
 02/13/2017 House—Hearing: Tuesday, February 14, 2017, 01:30 PM Room 346-S
 02/15/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 240
 02/16/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 250
- H 2346** Bill by K-12 Education Budget
Administration of school district finance by the state board of education.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on K-12 Education Budget—HJ 221
 02/13/2017 House—Hearing: Friday, February 17, 2017, 01:30 PM Room 346-S
 02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
 02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240
- H 2347** Bill by K-12 Education Budget
Creating the school district finance and student success act.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on K-12 Education Budget—HJ 221
 02/14/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Appropriations—HJ 236
 02/15/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on K-12 Education Budget—HJ 240
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 346-S
- H 2348** Bill by Health and Human Services
Kansas safe access act; use of cannabis for medical conditions.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on Health and Human Services—HJ 221
- H 2349** Bill by General Government Budget
Recreating the Kansas arts commission as a separate commission.
 02/10/2017 House—Introduced—HJ 216
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 221
- H 2350** Bill by Judiciary
Clarifying method for calculating the spousal elective share.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Judiciary—HJ 221
- H 2351** Bill by Financial Institutions and Pensions
Prohibiting state contracts with companies that are engaged in an anti-Israeli

boycott.

- 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Financial Institutions and Pensions—HJ 221
 02/14/2017 House—Withdrawn from Committee on Financial Institutions and Pensions; Referred to Committee on Appropriations—HJ 232

- H 2352** Bill by Corrections and Juvenile Justice
Limiting admissibility of impeachment evidence.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Corrections and Juvenile Justice—HJ 221
 02/15/2017 House—Hearing: Monday, February 20, 2017, 01:30 PM Room 152-S
- H 2353** Bill by Commerce, Labor and Economic Development
Revising qualified vendor requirements under state use law.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 221
 02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 262
 02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 282
 03/07/2017 House—Hearing: Tuesday, March 14, 2017, 01:30 PM Room 112-N - CANCELLED
 03/14/2017 House—Hearing: Wednesday, March 15, 2017, 01:30 PM Room 112-N
 03/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 463
 03/23/2017 House—Committee of the Whole - Be passed as amended—HJ 504
 03/24/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 514
 03/24/2017 Senate—Received and Introduced—SJ 331
 03/27/2017 Senate—Referred to Committee on Ways and Means—SJ 350
 04/05/2017 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 485
 05/02/2017 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 511
 05/05/2017 House—Enrolled and presented to Governor on Friday, May 05, 2017—HJ 817
 05/10/2017 House—Approved by Governor on Wednesday, May 10, 2017—HJ 868
- H 2354** Bill by Commerce, Labor and Economic Development
Fair share fees for labor organizations.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 221
- H 2355** Bill by Commerce, Labor and Economic Development
Requiring an affirmative acceptance by a consumer of charges by vendors offering goods or services over the internet before billing.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic

Development—HJ 221

02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 280

- H 2356** Bill by Commerce, Labor and Economic Development
Certification of businesses as a certified business by the department of administration pursuant to competitive bid process for state contracts.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 221
 02/17/2017 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 262
 02/20/2017 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 282
 03/07/2017 House—Hearing: Tuesday, March 14, 2017, 01:30 PM Room 112-N - CANCELLED
 03/14/2017 House—Hearing: Wednesday, March 15, 2017, 01:30 PM Room 112-N
 03/17/2017 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 463
 03/23/2017 House—Committee of the Whole - Be passed as amended—HJ 504
 03/24/2017 House—Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 514
 03/24/2017 Senate—Received and Introduced—SJ 331
 03/27/2017 Senate—Referred to Committee on Ways and Means—SJ 350
 04/05/2017 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 485
 05/03/2017 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 549
 05/05/2017 House—Enrolled and presented to Governor on Friday, May 05, 2017—HJ 817
 05/10/2017 House—Approved by Governor on Wednesday, May 10, 2017—HJ 868
- H 2357** Bill by Commerce, Labor and Economic Development
Enacting the agribusiness technology and entrepreneurship district act.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 221
- H 2358** Bill by Elections
Elections; voter registration; voter identification; proof of citizenship deleted.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Elections—HJ 221
- H 2359** Bill by Government, Technology and Security
Creating the Kansas information technology enterprise agency.
 02/10/2017 House—Introduced—HJ 217
 02/13/2017 House—Referred to Committee on Government, Technology and Security—HJ 221
 02/13/2017 House—Hearing: Wednesday, February 15, 2017, 09:00 AM Room 218-N
 02/20/2017 House—Withdrawn from Committee on Government, Technology and Security; Referred to Committee on Appropriations—HJ 282
 02/21/2017 House—Withdrawn from Committee on Appropriations; Rereferred to

Committee on Government, Technology and Security—HJ 298

- H 2360** Bill by Appropriations
Establishing the division of the state employee health benefits plan in the department of administration.
 02/13/2017 House—Introduced—HJ 227
 02/14/2017 House—Referred to Committee on Appropriations—HJ 232
 03/23/2017 House—Withdrawn from Committee on Appropriations; Referred to Committee on General Government Budget—HJ 501
 03/24/2017 House—Hearing: Friday, March 24, 2017, 01:30 PM Room 218-N
 03/27/2017 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 531
 03/30/2017 House—Committee of the Whole - Be passed—HJ 572
 04/03/2017 House—Final Action - Passed; Yea: 99 Nay: 26—HJ 584
 04/04/2017 Senate—Received and Introduced—SJ 434
 04/05/2017 Senate—Referred to Committee on Ways and Means—SJ 472
- H 2361** Bill by Appropriations
Transferring administration of the state workers compensation self-insurance fund to the department of administration.
 02/13/2017 House—Introduced—HJ 227
 02/14/2017 House—Referred to Committee on Appropriations—HJ 232
 03/23/2017 House—Withdrawn from Committee on Appropriations; Referred to Committee on General Government Budget—HJ 501
 03/23/2017 House—Hearing: Friday, March 24, 2017, 01:30 PM Room 218-N
- H 2362** Bill by Appropriations
Establishing the alcoholic beverage control modernization fee.
 02/13/2017 House—Introduced—HJ 227
 02/14/2017 House—Referred to Committee on Appropriations—HJ 232
 03/08/2017 House—Hearing: Wednesday, March 15, 2017, 09:00 AM Room 112-N
 03/22/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 496
 03/29/2017 House—Committee of the Whole - Be passed as amended—HJ 556
 03/30/2017 House—Final Action - Passed as amended; Yea: 96 Nay: 28—HJ 568
 03/30/2017 Senate—Received and Introduced—SJ 412
 04/03/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 430
- H 2363** Bill by Appropriations
Authorizing the department of administration to sell specified surplus state property on behalf of various state agencies.
 02/13/2017 House—Introduced—HJ 227
 02/14/2017 House—Referred to Committee on Appropriations—HJ 232
- H 2364** Bill by Appropriations
Substitute for HB 2364 by Committee on Appropriations - Appropriations for FY 2017, FY 2018, FY 2019 and FY 2020 for various state agencies.
 02/13/2017 House—Introduced—HJ 228
 02/14/2017 House—Referred to Committee on Appropriations—HJ 232

03/15/2017 House—Hearing: Monday, March 20, 2017, 09:00 AM Room 112-N
03/28/2017 House—Hearing: Tuesday, March 28, 2017, 09:00 AM Room 112-N
04/03/2017 House—Committee Report recommending substitute bill be passed by
Committee on Appropriations—HJ 586

- H 2365** Bill by Appropriations
Making appropriations for FY 18 and FY 19 for the judicial branch.
02/13/2017 House—Introduced—HJ 228
02/14/2017 House—Referred to Committee on Appropriations—HJ 232
03/15/2017 House—Hearing: Monday, March 20, 2017, 09:00 AM Room 112-N
- H 2366** Bill by Federal and State Affairs
**Amending the beer and cereal malt beverage keg registration act to include hard
cider.**
02/14/2017 House—Introduced—HJ 231
02/15/2017 House—Referred to Committee on Federal and State Affairs—HJ 240
03/08/2017 House—Hearing: Wednesday, March 15, 2017, 09:00 AM Room 346-S
- H 2367** Bill by Taxation
**Concerning valuation of property for taxation; duties of county appraiser;
appeals.**
02/17/2017 House—Introduced—HJ 280
02/20/2017 House—Referred to Committee on Taxation—HJ 282
- H 2368** Bill by Taxation
Allowing a deduction for business entities that create new jobs.
02/17/2017 House—Introduced—HJ 280
02/20/2017 House—Referred to Committee on Taxation—HJ 282
03/09/2017 House—Hearing: Monday, March 13, 2017, 03:30 PM Room 346-S
03/14/2017 House—Hearing: Wednesday, March 15, 2017, 03:30 PM Room 346-S
- H 2369** Bill by Taxation
Reducing the sales and compensating use tax rate of food and food ingredients.
02/21/2017 House—Introduced—HJ 297
02/22/2017 House—Referred to Committee on Taxation—HJ 310
- H 2370** Bill by Taxation
**Concerning income taxation; relating to determination of Kansas adjusted gross
income, rates, itemized deductions.**
02/21/2017 House—Introduced—HJ 297
02/22/2017 House—Referred to Committee on Taxation—HJ 310
02/23/2017 House—Committee Report recommending bill be passed by Committee on
Taxation—HJ 356
- H 2371** Bill by Taxation
**Income tax credit for expenses paid for household and dependent care services
necessary for gainful employment.**
02/22/2017 House—Introduced—HJ 320

02/23/2017 House—Referred to Committee on Taxation—HJ 336

- H 2372** Bill by Taxation
Providing homestead property tax refunds for renters.
 02/22/2017 House—Introduced—HJ 320
 02/23/2017 House—Referred to Committee on Taxation—HJ 336
- H 2373** Bill by Taxation
Enacting the food sales tax refund and sunseting the tax credit for food purchased in this state.
 02/22/2017 House—Introduced—HJ 320
 02/23/2017 House—Referred to Committee on Taxation—HJ 336
- H 2374** Bill by Taxation
Expanding the tax credit for low income students scholarship program.
 02/23/2017 House—Introduced—HJ 356
 03/06/2017 House—Referred to Committee on K-12 Education Budget—HJ 360
 03/08/2017 House—Hearing: Friday, March 10, 2017, 01:30 PM Room 346-S - CANCELLED
 03/21/2017 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Education—HJ 473
 03/22/2017 House—Hearing and possible action: Thursday, March 23, 2017, 04:00 PM Room 546-S
- H 2375** Bill by Appropriations
Department of commerce appropriations for fiscal years 2018 and 2019 for the rural opportunity zones program.
 03/06/2017 House—Introduced—HJ 359
 03/07/2017 House—Referred to Committee on Appropriations—HJ 363
 03/15/2017 House—Hearing: Monday, March 20, 2017, 09:00 AM Room 112-N
- H 2376** Bill by Taxation
Property tax lid; requiring cities and counties to publish notice of budget increase; election requirements.
 03/06/2017 House—Introduced—HJ 359
 03/07/2017 House—Referred to Committee on Taxation—HJ 363
 03/08/2017 House—Hearing: Thursday, March 16, 2017, 03:30 PM Room 346-S
- H 2377** Bill by Taxation
Repealing the nonwage business income deduction.
 03/06/2017 House—Introduced—HJ 359
 03/07/2017 House—Referred to Committee on Taxation—HJ 363
- H 2378** Bill by Taxation
Concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions.
 03/06/2017 House—Introduced—HJ 359
 03/07/2017 House—Referred to Committee on Taxation—HJ 363

- H 2379** Bill by Appropriations
Requiring school district expenditure reporting under the Kansas uniform financial accounting and reporting act.
 03/07/2017 House—Introduced—HJ 365
 03/08/2017 House—Referred to Committee on K-12 Education Budget—HJ 366
 03/08/2017 House—Hearing: Tuesday, March 14, 2017, 01:30 PM Room 346-S - CANCELLED
 03/14/2017 House—Hearing: Wednesday, March 15, 2017, 01:30 PM Room 346-S
- H 2380** Bill by Taxation
Sales tax authority for Marion county; imposing sales tax on certain services..
 03/08/2017 House—Introduced—HJ 368
 03/09/2017 House—Referred to Committee on Taxation—HJ 374
 03/09/2017 House—Hearing: Monday, March 13, 2017, 03:30 PM Room 346-S
 05/03/2017 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 762
 05/12/2017 House—Committee of the Whole - Representative Miller requested the motion to amend by \$motioner\$ be divided. The amendment was ruled divisible and divided into \$part\$—HJ 928
 05/12/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Adopted. Yea: 63 Nay: 56—HJ 928
 05/12/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Adopted. Yea: 117 Nay: 3—HJ 932
 05/12/2017 House—Committee of the Whole - Be passed as amended—HJ 947
 05/15/2017 House—Final Action - Passed as amended; Yea: 78 Nay: 42—HJ 950
 05/15/2017 Senate—Received and Introduced—SJ 702
 05/16/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 703
 05/16/2017 Senate—Hearing: Wednesday, May 17, 2017, 09:00 AM Room 142-S
 05/17/2017 Senate—Hearing continuation: Thursday, May 18, 2017, 09:00 AM Room 142-S
- H 2381** Bill by Taxation
Providing a sales tax exemption for the land institute.
 03/08/2017 House—Introduced—HJ 369
 03/09/2017 House—Referred to Committee on Taxation—HJ 374
 03/09/2017 House—Hearing: Tuesday, March 14, 2017, 03:30 PM Room 346-S
- H 2382** Bill by Taxation
Providing for a \$.11 increase in motor fuel taxes; trip permits; distribution of revenues.
 03/08/2017 House—Introduced—HJ 369
 03/09/2017 House—Referred to Committee on Taxation—HJ 374
 03/23/2017 House—Hearing: Thursday, March 23, 2017, 03:30 PM Room 582-N
- H 2383** Bill by Appropriations
Providing pay increases for public employees based on increase in tax revenue.
 03/09/2017 House—Introduced—HJ 374
 03/10/2017 House—Referred to Committee on Appropriations—HJ 378

- H 2384** Bill by Taxation
Imposing sales tax on certain services.
 03/09/2017 House—Introduced—HJ 374
 03/10/2017 House—Referred to Committee on Taxation—HJ 378
 03/15/2017 House—Hearing: Tuesday, March 21, 2017, 03:30 PM Room 346-S
- H 2385** Bill by Taxation
Providing for a 3.9% tax rate for all individuals and repealing future formulaic rate cuts.
 03/09/2017 House—Introduced—HJ 374
 03/10/2017 House—Referred to Committee on Taxation—HJ 378
 03/15/2017 House—Hearing: Monday, March 20, 2017, 03:30 PM Room 346-S
- H 2386** Bill by Federal and State Affairs
Senate Substitute for HB 2386 by Committee on Federal and State Affairs – Amendments to the Kansas expanded lottery act relating to racetrack gaming facilities.
 03/09/2017 House—Introduced—HJ 374
 03/10/2017 House—Referred to Committee on Federal and State Affairs—HJ 378
 03/10/2017 House—Hearing: Thursday, March 16, 2017, 09:00 AM Room 346-S
 03/17/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 463
 03/27/2017 House—Committee of the Whole - Be passed—HJ 530
 03/28/2017 House—Final Action - Passed; Yea: 115 Nay: 8—HJ 540
 03/28/2017 Senate—Received and Introduced—SJ 364
 03/29/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 369
 05/02/2017 Senate—Hearing: Thursday, May 04, 2017, 09:00 AM Room 152-S - Note room and time change
 05/08/2017 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 623
- H 2387** Bill by Taxation
Sales tax exemption for purchases necessary to reconstruct, repair or replace certain fences destroyed by wildfires occurring in 2016 and 2017.
 03/10/2017 House—Introduced—HJ 378
 03/10/2017 House—Hearing: Monday, March 13, 2017, 03:30 PM Room 346-S
 03/13/2017 House—Referred to Committee on Taxation—HJ 382
 03/13/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 383
 03/14/2017 House—Committee of the Whole - Be passed as amended—HJ 389
 03/14/2017 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 0—HJ 390
 03/14/2017 Senate—Received and Introduced—SJ 244
 03/15/2017 Senate—Referred to Committee of the Whole—SJ 247
 03/16/2017 Senate—Committee of the Whole - Be passed as amended—SJ 270
 03/16/2017 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 289
 03/17/2017 House—Concurred with amendments; Yea: 119 Nay: 0—HJ 462
 03/21/2017 House—Enrolled and presented to Governor on Tuesday, March 21, 2017

03/22/2017 House—Approved by Governor on Wednesday, March 22, 2017—HJ 489

- H 2388** Bill by Appropriations
Authorizing the sale of certain Kansas lottery revenues.
 03/13/2017 House—Introduced—HJ 382
 03/14/2017 House—Referred to Committee on Appropriations—HJ 385
- H 2389** Bill by Federal and State Affairs
Amendments to the Kansas amusement ride act.
 03/14/2017 House—Introduced—HJ 385
 03/15/2017 House—Referred to Committee on Federal and State Affairs—HJ 416
 03/15/2017 House—Hearing: Thursday, March 23, 2017, 09:00 AM Room 346-S
 03/15/2017 House—Hearing: Friday, March 24, 2017, 09:00 AM Room 346-S
- H 2390** Bill by Taxation
Taxing sales of certain gym memberships.
 03/14/2017 House—Introduced—HJ 413
 03/15/2017 House—Referred to Committee on Taxation—HJ 416
 03/15/2017 House—Hearing: Tuesday, March 21, 2017, 03:30 PM Room 346-S -
 CANCELLED
- H 2391** Bill by Federal and State Affairs
Concerning driving under the influence and other driving offenses; use of ignition interlock devices; expungement of convictions and diversions.
 03/15/2017 House—Introduced—HJ 416
 03/16/2017 House—Referred to Committee on Federal and State Affairs—HJ 446
 03/20/2017 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Judiciary—HJ 468
 03/20/2017 House—Hearing: Tuesday, March 21, 2017, 03:30 PM Room 112-N
 03/24/2017 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 519
 03/29/2017 House—Committee of the Whole - Be passed—HJ 554
 03/30/2017 House—Final Action - Passed, Yea: 123 Nay: 1—HJ 568
 03/30/2017 Senate—Received and Introduced—SJ 412
 04/03/2017 Senate—Referred to Committee on Judiciary—SJ 430
- H 2392** Bill by Appropriations
Repealing the local government infrastructure improvement projects loan program; abolishing the Kansas partnership fund.
 03/15/2017 House—Introduced—HJ 422
 03/16/2017 House—Referred to Committee on Appropriations—HJ 446
- H 2393** Bill by Appropriations
Hazardous materials endorsement for commercial driver's licenses; transportation security administration security screening process; abolishing the hazmat fee fund.
 03/15/2017 House—Introduced—HJ 422
 03/16/2017 House—Referred to Committee on Appropriations—HJ 446

- H 2394** Bill by Appropriations
Abolishing the judiciary technology fund, access to justice fund, KAN-ED fund and ROTC service scholarship program fund; credits, transfers and liabilities.
 03/15/2017 House—Introduced—HJ 422
 03/16/2017 House—Referred to Committee on Appropriations—HJ 446
- H 2395** Bill by Taxation
Substitute for HB2395 by Committee on Taxation - Concerning taxation; income tax rates, determination of Kansas adjusted gross income and deductions; sales and use tax, rate on sales of food and food ingredients.
 03/15/2017 House—Introduced—HJ 422
 03/15/2017 House—Hearing: Monday, March 20, 2017, 03:30 PM Room 346-S
 03/16/2017 House—Referred to Committee on Taxation—HJ 446
 03/30/2017 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 573
- H 2396** Bill by Taxation
Allowing a tax credit for certain medical professionals who establish domicile in a rural opportunity zone.
 03/16/2017 House—Introduced—HJ 457
 03/17/2017 House—Referred to Committee on Taxation—HJ 459
- H 2397** Bill by Federal and State Affairs
Creating an unconscionable act or practice under the Kansas consumer protection act for people who engage in the unauthorized practice of law.
 03/16/2017 House—Introduced—HJ 457
 03/16/2017 House—Hearing: Monday, March 20, 2017, 03:30 PM Room 112-N
 03/17/2017 House—Referred to Committee on Judiciary—HJ 459
- H 2398** Bill by Federal and State Affairs
Roads and highways; traffic control devices maintained by counties and townships.
 03/16/2017 House—Introduced—HJ 457
 03/17/2017 House—Referred to Committee on Federal and State Affairs—HJ 459
 03/22/2017 House—Hearing: Monday, March 27, 2017, 09:00 AM Room 346-S - CANCELLED
 03/24/2017 House—Hearing: Thursday, March 30, 2017, 08:00 AM Room 346-S - CANCELLED
 03/28/2017 House—Hearing: Wednesday, March 29, 2017, 08:00 AM Room 346-S
 03/29/2017 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 558
 04/03/2017 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—HJ 578
- H 2399** Bill by Taxation
Providing a tax credit for certain child and dependent care expenses.
 03/17/2017 House—Introduced—HJ 459

03/20/2017 House—Referred to Committee on Taxation—HJ 467

03/30/2017 House—Hearing: Monday, April 03, 2017, 03:30 PM Room 346-S

- H 2400** Bill by Taxation
Requiring certain remote sellers to collect Kansas sales tax.
03/17/2017 House—Introduced—HJ 459
03/17/2017 House—Hearing: Wednesday, March 22, 2017, 03:30 PM Room 346-S
03/20/2017 House—Referred to Committee on Taxation—HJ 467
03/29/2017 House—Committee Report recommending bill be passed as amended by
Committee on Taxation—HJ 558
- H 2401** Bill by Federal and State Affairs
Prohibiting use of union dues for partisan or political purposes.
03/17/2017 House—Introduced—HJ 459
03/20/2017 House—Referred to Committee on Federal and State Affairs—HJ 467
- H 2402** Bill by Appropriations
Debt set off; allowing the director of accounts and reports to enter into an agreement with third party vendors to assist in collecting debts against the state.
03/17/2017 House—Introduced—HJ 465
03/20/2017 House—Referred to Committee on Appropriations—HJ 467
- H 2403** Bill by Appropriations
Reinstating the enterprise zone program as an option in lieu of participation in the rural opportunity zone program for counties designated as rural opportunity zones.
03/17/2017 House—Introduced—HJ 465
03/17/2017 House—Hearing: Monday, March 20, 2017, 09:00 AM Room 112-N
03/20/2017 House—Referred to Committee on Appropriations—HJ 467
03/20/2017 House—Hearing: Monday, March 20, 2017, 09:00 AM Room 112-N
- H 2404** Bill by Federal and State Affairs
Rehabilitation of abandoned property by cities.
03/17/2017 House—Introduced—HJ 465
03/20/2017 House—Referred to Committee on Local Government—HJ 467
03/20/2017 House—Hearing: Thursday, March 23, 2017, 01:30 PM Room 281-N
- H 2405** Bill by Appropriations
Concerning funding for the senior care act and redeemable beverage containers.
03/20/2017 House—Introduced—HJ 467
03/21/2017 House—Referred to Committee on Appropriations—HJ 473
- H 2406** Bill by Taxation
Repealing property tax exemption for certain pipeline property.
03/21/2017 House—Introduced—HJ 473
03/22/2017 House—Referred to Committee on Taxation—HJ 489
03/30/2017 House—Hearing: Tuesday, April 04, 2017, 03:30 PM Room 346-S

H 2407 Bill by Appropriations
Duties of the attorney general and the secretary of administration concerning certain real estate transfers and authorizing the Kansas department of wildlife, parks and tourism to purchase certain real property in Sherman county. .

- 03/22/2017 House—Introduced—HJ 497
 03/22/2017 House—Hearing and possible action: Thursday, March 23, 2017, 01:30 PM Room 218-N
 03/23/2017 House—Referred to Committee on General Government Budget—HJ 501
 03/27/2017 House—Committee Report recommending bill be passed as amended by Committee on General Government Budget—HJ 531
 04/03/2017 House—Committee of the Whole - Be passed as amended—HJ 586
 04/04/2017 House—Final Action - Passed as amended; Yea: 108 Nay: 17—HJ 597
 04/04/2017 Senate—Received and Introduced—SJ 440
 04/05/2017 Senate—Referred to Committee on Ways and Means—SJ 472
 05/03/2017 Senate—Hearing and possible action: Thursday, May 04, 2017, 01:00 PM Room 548-S
 05/05/2017 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 617
 06/02/2017 Senate—Committee of the Whole - Be passed as further amended—SJ 826
 06/03/2017 Senate—Final Action - Passed as amended; Yea: 35 Nay: 2—SJ 828
 06/05/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Sutton, Representative Weber and Representative Burroughs as conferees—HJ 1154
 06/05/2017 Senate—Motion to accede adopted; Senator McGinn, Senator Billinger and Senator Kelly appointed as conferees—SJ 854
 06/07/2017 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1014
 06/07/2017 House—Conference Committee Report not adopted; Representative Sutton, Representative Weber and Representative Burroughs appointed as second conferees—HJ 1434
 06/08/2017 Senate—Motion to accede adopted; Senator McGinn, Senator Billinger and Senator Kelly appointed as second conferees—SJ 1017
 06/10/2017 House—Concurred with amendments in conference; Yea: 93 Nay: 20—HJ 1491
 06/26/2017 House—Enrolled and presented to Governor on Thursday, June 15, 2017—HJ 2114
 06/26/2017 House—Approved by Governor on Friday, June 23, 2017—HJ 2110

H 2408 Bill by Taxation
Requiring people with access to federal tax information to be fingerprinted.

- 03/22/2017 House—Introduced—HJ 497
 03/23/2017 House—Referred to Committee on Taxation—HJ 501
 03/27/2017 House—Hearing: Tuesday, March 28, 2017, 03:30 PM Room 346-S
 03/30/2017 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 573
 04/04/2017 House—Committee of the Whole - Be passed—HJ 599
 04/05/2017 House—Final Action - Passed; Yea: 124 Nay: 1—HJ 611
 04/05/2017 Senate—Received and Introduced—SJ 484
 04/06/2017 Senate—Referred to Committee on Assessment and Taxation—SJ 488

- H 2409** Bill by Appropriations
Prohibiting state contracts with companies that are engaged in an anti-Israeli boycott.
- 03/22/2017 House—Introduced—HJ 497
 03/22/2017 House—Hearing and possible action: Thursday, March 23, 2017, 01:30 PM Room 218-N
 03/23/2017 House—Referred to Committee on General Government Budget—HJ 501
 03/27/2017 House—Committee Report recommending bill be passed by Committee on General Government Budget—HJ 531
 04/04/2017 House—Committee of the Whole - Be passed—HJ 599
 04/05/2017 House—Final Action - Passed; Yea: 116 Nay: 9—HJ 611
 04/05/2017 Senate—Received and Introduced—SJ 484
 04/06/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 488
 05/02/2017 Senate—Hearing: Thursday, May 04, 2017, 09:00 AM Room 152-S - Note room and time change
 05/08/2017 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 623
 05/09/2017 Senate—Withdrawn from Consent Calendar and placed on General Orders—SJ 624
 06/02/2017 Senate—Committee of the Whole - Be passed as amended—SJ 825
 06/03/2017 Senate—Final Action - Passed as amended; Yea: 28 Nay: 9—SJ 829
 06/05/2017 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Sutton, Representative Weber and Representative Burroughs as conferees—HJ 1154
 06/05/2017 Senate—Motion to accede adopted; Senator Estes, Senator Olson and Senator Faust-Goudeau appointed as conferees—SJ 854
 06/05/2017 Senate—Senator Hilderbrand is appointed to replace Senator Olson on the Conference Committee—SJ 979
 06/07/2017 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 3—SJ 1015
 06/07/2017 House—Conference Committee Report was adopted; Yea: 99 Nay: 13—HJ 1434
 06/09/2017 House—Enrolled and presented to Governor on Friday, June 09, 2017—HJ 1456
 06/26/2017 House—Approved by Governor on Friday, June 16, 2017—HJ 2110

- H 2410** Bill by Appropriations
Substitute for HB 2410 by Committee on K-12 Education Budget - Creating the Kansas school equity and enhancement act.
- 03/22/2017 House—Introduced—HJ 497
 03/22/2017 House—Hearing continuation: Friday, March 24, 2017, 01:30 PM Room 346-S
 03/22/2017 House—Hearing: Thursday, March 23, 2017, 01:30 PM Room 346-S
 03/23/2017 House—Referred to Committee on K-12 Education Budget—HJ 501
 05/12/2017 House—Hearing: Friday, May 12, 2017, 10:30 AM Room 346-S
 05/16/2017 House—Committee Report, substitute bill without recommendation by Committee on K-12 Education Budget—HJ 976
 05/16/2017 House—Committee Report, substitute bill without recommendation by Committee on K-12 Education Budget.—HJ 976
 05/24/2017 House—Committee of the Whole - Representative Campbell requested the

motion to amend by \$motioner\$ be divided. The amendment was ruled divisible and divided into \$part\$—HJ 1030
 05/24/2017 House—Part 1 not considered due to objection under House Rule 2109 regarding duplicate motions to amend.
 05/24/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Adopted.—HJ 1031
 05/24/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Adopted.—HJ 1031
 05/24/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Failed.—HJ 1031
 05/24/2017 House—Committee of the Whole - \$motioner\$ Amendment Part \$part\$ Adopted.—HJ 1031
 05/24/2017 House—Committee of the Whole - Substitute bill be passed as amended—HJ 1039
 05/25/2017 House—Final Action - Substitute passed as amended; Yea: 84 Nay: 39—HJ 1043
 05/25/2017 Senate—Received and Introduced—SJ 757
 05/30/2017 Senate—Referred to Senate Select Committee on Education Finance—SJ 758

- H 2411** Bill by Federal and State Affairs
Alcoholic beverages; microbreweries; contract brewing.
 03/24/2017 House—Introduced—HJ 513
 03/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 526
- H 2412** Bill by Appropriations
Providing for a \$.05 increase in motor fuel taxes; trip permits; distribution of revenues.
 03/24/2017 House—Introduced—HJ 513
 03/27/2017 House—Referred to Committee on Taxation—HJ 527
- H 2413** Bill by Appropriations
Amending the Kansas indoor clean air act.
 03/24/2017 House—Introduced—HJ 525
 03/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 526
- H 2414** Bill by Federal and State Affairs
Standards for real estate appraisers.
 03/24/2017 House—Introduced—HJ 525
 03/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 526
- H 2415** Bill by Taxation
Making parts of the scrap metal theft reduction act unenforceable until January 1, 2019.
 03/28/2017 House—Introduced—HJ 545
 03/29/2017 House—Referred to Committee on Taxation—HJ 548

- H 2416** Bill by Taxation
Income tax credit for certain purchases of goods and services by a taxpayer from qualified vendors that provide employment to individuals who are blind or severely disabled.
03/30/2017 House—Introduced—HJ 564
04/03/2017 House—Referred to Committee on Taxation—HJ 577
04/03/2017 House—Hearing: Tuesday, April 04, 2017, 03:30 PM Room 346-S
05/12/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 948
- H 2417** Bill by Federal and State Affairs
Authorizing state psychiatric institutions to prohibit the carrying of firearms in secured areas.
04/04/2017 House—Introduced—HJ 594
04/05/2017 House—Referred to Committee on Federal and State Affairs—HJ 608
- H 2418** Bill by Appropriations
Establishing an on-site state employee health clinic.
04/04/2017 House—Introduced—HJ 599
04/04/2017 House—Hearing: Wednesday, April 05, 2017, 09:00 AM Room 112-N
04/05/2017 House—Referred to Committee on Appropriations—HJ 608
05/04/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 795
- H 2419** Bill by Appropriations
State finances; transfers to and expenditures from the budget stabilization fund.
04/04/2017 House—Introduced—HJ 604
04/04/2017 House—Hearing: Wednesday, April 05, 2017, 09:00 AM Room 112-N
04/05/2017 House—Referred to Committee on Appropriations—HJ 608
05/05/2017 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 816
- H 2420** Bill by Taxation
Concerning taxation; income tax, determination of Kansas adjusted gross income, rates, itemized deductions; sales and compensating use tax, rates food and food ingredients.
04/05/2017 House—Introduced—HJ 608
04/06/2017 House—Referred to Committee on Taxation—HJ 621
- H 2421** Bill by Taxation
Enacting a sales tax exemption for sales of currency, certain coins or bullion.
05/02/2017 House—Introduced—HJ 680
05/03/2017 House—Referred to Committee on Taxation—HJ 757
- H 2422** Bill by Taxation
Providing for a sales tax exemption for the make-a-wish foundation of Kansas.
05/02/2017 House—Introduced—HJ 728
05/03/2017 House—Referred to Committee on Taxation—HJ 757
05/08/2017 House—Hearing: Wednesday, May 10, 2017, 03:30 PM Room 346-S

- H 2423** Bill by Federal and State Affairs
Prohibiting the collection and sale of personal data by internet service providers.
 05/02/2017 House—Introduced—HJ 729
 05/03/2017 House—Referred to Committee on Federal and State Affairs—HJ 757
- H 2424** Bill by Taxation
Property tax lid, exception for increases in certain employee benefits; property tax exemption for certain property located in a former federal enclave.
 05/02/2017 House—Introduced—HJ 756
 05/03/2017 House—Referred to Committee on Taxation—HJ 757
 05/08/2017 House—Hearing: Tuesday, May 09, 2017, 03:30 PM Room 346-S
 05/12/2017 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 948
- H 2425** Bill by Federal and State Affairs
Adding household members to the list of mandatory reporters of child abuse or neglect.
 05/10/2017 House—Introduced—HJ 868
 05/11/2017 House—Referred to Committee on Federal and State Affairs—HJ 871
 05/15/2017 House—Hearing and possible action: Tuesday, May 16, 2017, 08:00 AM Room 346-S
- H 2426** Bill by Appropriations
Reconciling amendments to certain statutes.
 05/10/2017 House—Introduced—HJ 868
 05/11/2017 House—Referred to Committee on Appropriations—HJ 871
 05/31/2017 House—Hearing: Thursday, June 01, 2017, 09:00 AM Room 112-N
 06/02/2017 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 1106
 06/08/2017 House—Committee of the Whole - Be passed as amended—HJ 1438
 06/08/2017 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 1—HJ 1446
 06/09/2017 Senate—Received and Introduced—SJ 1047
 06/09/2017 Senate—Referred to Committee of the Whole from the Chair.—SJ 1048
 06/09/2017 Senate—Motion to advance to Emergency Final Action subject to amendment, debate and roll call adopted.—SJ 1048
 06/09/2017 Senate—Emergency Final Action - Passed; Yea: 37 Nay: 2—SJ 1048
 06/26/2017 House—Enrolled and presented to Governor on Thursday, June 15, 2017—HJ 2114
 06/26/2017 House—Approved by Governor on Friday, June 23, 2017—HJ 2110
- H 2427** Bill by Federal and State Affairs
Adult care home licensure and background check amendments.
 05/12/2017 House—Introduced—HJ 879
 05/15/2017 House—Referred to Committee on Federal and State Affairs—HJ 950
 05/15/2017 House—Hearing and possible action: Tuesday, May 16, 2017, 08:00 AM Room 346-S

- H 2428** Bill by Taxation
Repealing certain sales tax exemptions.
05/22/2017 House—Introduced—HJ 1008
05/23/2017 House—Referred to Committee on Taxation—HJ 1025
- H 2429** Bill by Appropriations
Distribution of tax revenue from the cigarette and tobacco products tax to the children's initiative fund.
05/30/2017 House—Introduced—HJ 1056
05/31/2017 House—Referred to Committee on Appropriations—HJ 1073
05/31/2017 House—Hearing: Thursday, June 01, 2017, 09:00 AM Room 112-N
- H 2430** Bill by Appropriations
Authorizing the sale of certain tobacco settlement receipts; creating the great plains tobacco settlement financing corporation; authorizing the issuance of bonds payable from the tobacco asset payments.
05/30/2017 House—Introduced—HJ 1056
05/31/2017 House—Referred to Committee on Appropriations—HJ 1073
05/31/2017 House—Hearing: Thursday, June 01, 2017, 09:00 AM Room 112-N
- H 2431** Bill by Taxation
Taxation; relating to income tax, rates, credits, itemized deductions and determination of Kansas adjusted gross income; sales and use tax, rate, food and food ingredients; property tax, homestead refunds; motor fuels tax rate; cigarettes, rate of tax.
06/04/2017 House—Introduced—HJ 1140
06/05/2017 House—Referred to Committee on Taxation—HJ 1153
- H 2432** Bill by Taxation
Concerning taxation; relating to income tax rates, credits, deductions and determination of Kansas adjusted gross income.
06/04/2017 House—Introduced—HJ 1141
06/05/2017 House—Referred to Committee on Taxation—HJ 1153
- H 2433** Bill by Taxation
Concerning income tax, relating to credits, rates, determination of Kansas gross income and itemized deductions for qualified medical expenses.
06/04/2017 House—Introduced—HJ 1141
06/05/2017 House—Referred to Committee on Taxation—HJ 1153
- H 2434** Bill by Taxation
Concerning income tax; relating to rates, credits, deductions and determination of Kansas adjusted gross income.
06/04/2017 House—Introduced—HJ 1141
06/05/2017 House—Referred to Committee on Taxation—HJ 1153

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5001** Concurrent Resolution by Representatives Ryckman, Hineman, Ward
Joint session for hearing message of the governor.
 01/09/2017 House—Introduced
 01/09/2017 House—Adopted without roll call—HJ 44
 01/10/2017 Senate—Received and Introduced—SJ 35
 01/10/2017 Senate—Adopted without roll call—SJ 35
 01/18/2017 House—Enrolled on Wednesday, January 18, 2017—HJ 93
- H 5002** Concurrent Resolution by Representative Ryckman
Joint rules for the senate and house of representatives, 2017-2018.
 01/09/2017 House—Introduced—HJ 46
 01/10/2017 House—Referred to Committee on Rules and Journal
 01/11/2017 House—Committee Report recommending resolution be adopted by
 Committee on Rules and Journal—HJ 70
 01/12/2017 House—Committee of the Whole - Be adopted—HJ 73
 01/12/2017 House—Emergency Final Action - Adopted; Yea: 116 Nay: 7—HJ 74
 01/12/2017 Senate—Received and Introduced—SJ 40
 01/12/2017 Senate—Referred to Committee of the Whole—SJ 40
 01/17/2017 Senate—Committee of the Whole - Be adopted—SJ 46
 01/17/2017 Senate—Emergency Final Action - Adopted; Yea: 37 Nay: 3—SJ 51
 01/20/2017 House—Enrolled on Friday, January 20, 2017—HJ 95
- H 5003** Concurrent Resolution by Federal and State Affairs
Urging congress to propose the regulation freedom amendment to the United States constitution.
 01/12/2017 House—Introduced—HJ 72
 01/13/2017 House—Referred to Committee on Federal and State Affairs—HJ 78
 01/31/2017 House—Committee Report recommending resolution be adopted by
 Committee on Federal and State Affairs—HJ 162
 02/14/2017 House—Committee of the Whole - Be adopted—HJ 235
 02/15/2017 House—Final Action - Adopted; Yea: 93 Nay: 29—HJ 243
 02/15/2017 Senate—Received and Introduced—SJ 161
 02/16/2017 Senate—Referred to Committee on Federal and State Affairs—SJ 166
 03/27/2017 Senate—Committee Report recommending resolution be adopted by
 Committee on Federal and State Affairs—SJ 355
 03/29/2017 Senate—Committee of the Whole - Be adopted—SJ 378
 03/30/2017 Senate—Final Action - Adopted; Yea: 27 Nay: 13—SJ 401
 04/06/2017 House—Enrolled on Thursday, April 06, 2017—HJ 665
- H 5004** Concurrent Resolution by Federal and State Affairs
Constitutional amendment granting counties home rule powers.
 01/19/2017 House—Introduced—HJ 89
 01/20/2017 House—Referred to Committee on Federal and State Affairs—HJ 94
 01/27/2017 House—Hearing: Tuesday, January 31, 2017, 09:00 AM Room 346-S
- H 5005** Concurrent Resolution by Federal and State Affairs
Making application to the U.S. congress to call a convention of the states.
 01/23/2017 House—Introduced—HJ 99

01/24/2017 House—Referred to Committee on Federal and State Affairs—HJ 103
02/08/2017 House—Hearing: Monday, February 13, 2017, 09:00 AM Room 346-S

H 5006 Concurrent Resolution by Federal and State Affairs
Constitutional amendment repealing section 16 of article 15; relating to marriage.
01/26/2017 House—Introduced—HJ 112
01/27/2017 House—Referred to Committee on Federal and State Affairs—HJ 118

H 5007 Concurrent Resolution by Representatives Carpenter, Claeys, DeGraaf, Esau, Garber, Highland, Houser, Huebert, Humphries, Jacobs, Jones, Kiegerl, Landwehr, Mason, Powell, Smith, E., Sutton, Thimesch, Weber, Whitmer
Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
01/30/2017 House—Introduced—HJ 151
01/31/2017 House—Referred to Committee on Taxation—HJ 162
02/07/2017 House—Withdrawn from Committee on Taxation; Referred to Committee on Federal and State Affairs—HJ 194

H 5008 Concurrent Resolution by Water and Environment
Proposition to amend article 11 of the constitution of the state of Kansas concerning the state water plan fund.
02/02/2017 House—Introduced—HJ 174
02/03/2017 House—Referred to Committee on Water and Environment—HJ 177
02/03/2017 House—Hearing: Tuesday, February 07, 2017, 09:00 AM Room 582-N

H 5009 Concurrent Resolution by Representatives Garber, Awerkamp, Blex, Brim, Carpenter, DeGraaf, Delperdang, Ellis, Eplee, Good, Highland, Huebert, Jacobs, Powell, Smith, A., Smith, E.
State constitution, human life amendments.
02/03/2017 House—Introduced—HJ 181
02/06/2017 House—Referred to Committee on Federal and State Affairs—HJ 185

H 5010 Concurrent Resolution by Health and Human Services
A concurrent resolution opposing physician assisted suicide.
02/14/2017 House—Introduced—HJ 231
02/15/2017 House—Referred to Committee on Health and Human Services—HJ 240
02/23/2017 House—Hearing: Monday, March 06, 2017, 01:30 PM Room 546-S

H 5011 Concurrent Resolution by Representatives Parker, Bishop, Brim, Carlin, Clayton, Crum, Curtis, Deere, Finney, Gallagher, Gartner, Good, Highberger, Hodge, Holscher, Koesten, Kuether, Lusk, Murnan, Neighbor, Ohaebosim, Ousley, Pittman, Rooker, Stogsdill, Terrell, Trimmer, Whipple, Wolfe Moore
Revising article 10 of the Kansas constitution; establishing a redistricting commission.
02/23/2017 House—Introduced—HJ 332
03/06/2017 House—Referred to Committee on Elections—HJ 359

- H 5012** Concurrent Resolution by Representatives Ryckman, Hineman, Ward
Joint session for hearing message of supreme court.
 03/14/2017 House—Introduced
 03/14/2017 House—Adopted without roll call—HJ 385
 03/14/2017 Senate—Received and Introduced—SJ 244
 03/14/2017 Senate—Adopted without roll call—SJ 244
 03/20/2017 House—Enrolled on Monday, March 20, 2017—HJ 471
- H 5013** Concurrent Resolution by Taxation
Urging Congress to regulate interstate commerce and allow states to collect sales tax from remote retailers.
 03/29/2017 House—Introduced—HJ 559
 03/30/2017 House—Referred to Committee on Taxation—HJ 564
- H 5014** Concurrent Resolution by Representatives Ryckman, Hineman, Ward
Adjournment of the legislature for a time during the 2017 session.
 03/30/2017 House—Introduced—HJ 574
 03/30/2017 House—Adopted without roll call—HJ 574
 03/30/2017 Senate—Received and Introduced—SJ 429
 03/30/2017 Senate—Adopted without roll call—SJ 429
 04/06/2017 House—Enrolled on Thursday, April 06, 2017—HJ 665
- H 5015** Concurrent Resolution by Representatives Ryckman, Hineman, Ward
Adjournment of the legislature for a time during the 2017 session.
 05/25/2017 House—Introduced—HJ 1053
 05/25/2017 House—Adopted without roll call—HJ 1053
 05/25/2017 Senate—Received and Introduced—SJ 757
 05/25/2017 Senate—Adopted without roll call—SJ 757
 05/31/2017 House—Enrolled on Wednesday, May 31, 2017—HJ 1097
- H 5016** Concurrent Resolution by Representatives Ryckman, Hineman, Ward
Adjournment of the 2017 regular session of the legislature.
 06/10/2017 House—Introduced—HJ 2106
 06/10/2017 House—Adopted without roll call—HJ 2106
 06/10/2017 Senate—Received and Introduced—SJ 1468
 06/10/2017 Senate—Adopted without roll call—SJ 1469
 06/26/2017 House—Enrolled and presented to Secretary of State on Monday, June 26, 2017

TITLE AND HISTORY OF HOUSE RESOLUTIONS

- H 6001** Resolution by Representatives Ryckman, Hineman, Ward
Organization of the House of Representatives, 2017.
 01/09/2017 House—Introduced
 01/09/2017 House—Adopted without roll call—HJ 13
 01/17/2017 House—Enrolled on Tuesday, January 17, 2017—HJ 82
- H 6002** Resolution by Representatives Ryckman, Hineman, Ward
Assignment of seats in House of Representatives, 2017.
 01/09/2017 House—Introduced
 01/09/2017 House—Adopted without roll call—HJ 14
 01/17/2017 House—Enrolled on Tuesday, January 17, 2017—HJ 82
- H 6003** Resolution by Representative Ryckman
Rules of the house of representatives, temporary 2017 session.
 01/09/2017 House—Introduced
 01/09/2017 House—Adopted without roll call—HJ 14
 01/17/2017 House—Enrolled on Tuesday, January 17, 2017—HJ 82
- H 6004** Resolution by Representative Ryckman
Rules of the House of Representatives, permanent rules for the 2017-2018 biennium.
 01/09/2017 House—Introduced—HJ 17
 01/10/2017 House—Referred to Committee on Rules and Journal
 01/11/2017 House—Committee Report recommending resolution be adopted by Committee on Rules and Journal—HJ 70
 01/12/2017 House—Committee of the Whole - Be adopted as amended—HJ 73
 01/12/2017 House—Emergency Final Action - Adopted as amended; Yea: 88 Nay: 35—HJ 74
 01/18/2017 House—Enrolled on Wednesday, January 18, 2017—HJ 93
- H 6005** Resolution by Representatives Aurand, Dierks, Arnberger, Ballard, Becker, Bishop, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Concannon, Cox, Crum, Curtis, Davis, DeGraaf, Dietrich, Dove, Elliott, Finch, Finney, Gallagher, Garber, Gartner, Good, Helgerson, Highberger, Hodge, Hoffman, Holscher, Jennings, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lewis, Lusk, Lusker, Markley, Mastroni, Murnan, Neighbor, Ohaebosim, Osterman, Ousley, Parker, Patton, Phelps, Pittman, Proehl, Rahjes, Ralph, Rooker, Sawyer, Schreiber, Stogsdill, Sutton, Tarwater, Terrell, Trimmer, Vickrey, Victors, Ward, Weber, Whitmer, Williams, Wilson, Winn, Wolfe Moore
Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 01/23/2017 House—Introduced—HJ 100
 01/24/2017 House—Adopted without roll call—HJ 104
 01/27/2017 House—Enrolled on Friday, January 27, 2017—HJ 147
- H 6006** Resolution by Representative Concannon
Recognizing February 3, 2017, as National Wear Red Day.

02/02/2017 House—Introduced
 02/02/2017 House—Adopted without roll call—HJ 170
 02/06/2017 House—Enrolled on Monday, February 06, 2017—HJ 190

H 6007 Resolution by Representative Sutton
Congratulating and commending Crysta Baier's fourth grade class at Edgerton Elementary and KC Healthy Kids on their efforts to support healthy kids and healthy communities through I Am Here.

02/06/2017 House—Introduced—HJ 186
 02/09/2017 House—Adopted without roll call—HJ 211
 02/13/2017 House—Enrolled on Monday, February 13, 2017—HJ 229

H 6008 Resolution by Representative Hawkins
A resolution designating February 7, 2017 as Multiple Sclerosis Action Day at the Capitol.

02/08/2017 House—Introduced—HJ 200
 02/09/2017 House—Adopted without roll call
 02/13/2017 House—Enrolled on Monday, February 13, 2017—HJ 229

H 6009 Resolution by Representative Trimmer
Recognizing National Speech and Debate Education Day.

02/09/2017 House—Introduced—HJ 210
 02/21/2017 House—Adopted without roll call—HJ 299
 02/22/2017 House—Enrolled on Wednesday, February 22, 2017—HJ 330

H 6010 Resolution by Representatives Holscher, Kessinger, Koesten, Markley, Parker, Rafie
Congratulating and commending the Blue Valley School District on their academic excellence.

02/10/2017 House—Introduced—HJ 218
 02/21/2017 House—Adopted without roll call—HJ 299
 02/22/2017 House—Enrolled on Wednesday, February 22, 2017—HJ 330

H 6011 Resolution by Representative Burroughs
Congratulating and commending Ray Lipovac's fifth grade class at Stony Point Elementary School and KC Healthy Kids on their efforts to support healthy kids and communities through the I Am Here program.

02/13/2017 House—Introduced—HJ 228
 02/17/2017 House—Adopted without roll call—HJ 263
 02/22/2017 House—Enrolled on Wednesday, February 22, 2017—HJ 330

H 6012 Resolution by Representative Kuether
Congratulating and commending Washburn University men's basketball head coach, Bob Chipman, on a successful career.

02/14/2017 House—Introduced—HJ 236
 02/15/2017 House—Adopted without roll call—HJ 241
 02/20/2017 House—Enrolled on Monday, February 20, 2017—HJ 296

- H 6013** Resolution by Representative Ryckman
Assignment of seats in the house of representatives.
 02/16/2017 House—Introduced
 02/16/2017 House—Adopted without roll call—HJ 250
 02/22/2017 House—Enrolled on Wednesday, February 22, 2017—HJ 330
- H 6014** Resolution by Representatives Mason, Brim, Clark, Clayton, Curtis, Dietrich, Elliott, Esau, Gartner, Hineman, Jennings, Kessinger, Lewis, Pittman, Proehl, Rahjes, Schreiber, Schroeder, Seiwert, Sloan, Sutton, Waymaster, Weber
Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
 02/21/2017 House—Introduced—HJ 298
 03/20/2017 House—Adopted without roll call—HJ 468
 03/27/2017 House—Enrolled on Monday, March 27, 2017—HJ 532
- H 6015** Resolution by Representative Phillips
Recognizing the Boys and Girls Clubs across Kansas for the outstanding services they provide for young people and their families.
 03/07/2017 House—Introduced
 03/07/2017 House—Adopted without roll call—HJ 363
 03/10/2017 House—Enrolled on Friday, March 10, 2017
- H 6016** Resolution by Representatives Humphries, Blex, Brim, Crum, Elliott, Garber, Highland, Jacobs, Murnan, Osterman, Powell, Rafie, Resman, Smith, A., Smith, E., Sutton, Weber, Whitmer, Williams, Wilson
Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
 03/08/2017 House—Introduced—HJ 367
 03/09/2017 House—Referred to Committee on Federal and State Affairs—HJ 374
 03/13/2017 House—Hearing: Thursday, March 16, 2017, 09:00 AM Room 346-S
 03/23/2017 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 504
 03/29/2017 House—Committee of the Whole - Be adopted—HJ 554
 03/30/2017 House—Final Action - Adopted; Yea: 123 Nay: 1—HJ 569
 05/01/2017 House—Enrolled on Thursday, April 13, 2017—HJ 678
- H 6017** Resolution by Representative Wilson
Recognizing after-school programs in Kansas and the increased exposure to Science, Technology, Engineering and Math (STEM) they provide to K-12 youth.
 03/08/2017 House—Introduced—HJ 369
 03/09/2017 House—Adopted without roll call
 03/15/2017 House—Enrolled on Wednesday, March 15, 2017—HJ 439
- H 6018** Resolution by Children and Seniors
Recognizing the importance of restoring full funding to the Kansas Senior Care Act.
 03/10/2017 House—Introduced—HJ 378
 03/13/2017 House—Referred to Committee on Children and Seniors—HJ 382

06/26/2017 House—Died in Committee

- H 6019** Resolution by Representatives Schreiber, Baker, Bishop, Carlin, Crum, Delperdang, Dietrich, Elliott, Finney, Gartner, Highberger, Highland, Hineman, Humphries, Osterman, Patton, Resman, Ryckman, Sawyer, Schwab, Seiwert, Smith, A., Swanson, Victors, Ward, Weber, Weigel, Whipple, Wilson
Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.

03/14/2017 House—Introduced

03/14/2017 House—Adopted without roll call—HJ 385

03/20/2017 House—Enrolled on Monday, March 20, 2017—HJ 471

- H 6020** Resolution by Representative Rahjes
Honoring the 50th anniversary of Valley Hope Treatment Center.

03/14/2017 House—Introduced

03/14/2017 House—Adopted without roll call—HJ 388

03/17/2017 House—Enrolled on Friday, March 17, 2017—HJ 465

- H 6021** Resolution by Representatives Aurand, Alcalá, Arnberger, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Brim, Burroughs, Campbell, Clark, Clayton, Corbet, Cox, Crum, Deere, DeGraaf, Dierks, Dietrich, Elliott, Ellis, Eplee, Finch, Francis, Gallagher, Garber, Gartner, Good, Highberger, Highland, Hineman, Hoffman, Holscher, Humphries, Jennings, Judd-Jenkins, Karleskint, Kessinger, Koesten, Kuether, Lewis, Lusk, Markley, Mastroni, Murnan, Neighbor, Orr, Osterman, Parker, Patton, Phelps, Phillips, Pittman, Proehl, Rahjes, Ralph, Resman, Rooker, Ryckman, Schreiber, Schroeder, Smith, E., Stogsdill, Sutton, Swanson, Tarwater, Terrell, Trimmer, Vickrey, Weigel, Wilson

Congratulating and commending the 2017 Kansas Master Teachers.

03/15/2017 House—Introduced

03/15/2017 House—Adopted without roll call—HJ 416

03/21/2017 House—Enrolled on Tuesday, March 21, 2017—HJ 487

- H 6022** Resolution by Representatives DeGraaf, Alford, Baker, Barker, Blex, Brim, Carpenter, Delperdang, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Garber, Gartner, Highland, Hineman, Hoffman, Humphries, Jacobs, Jones, Karleskint, Kessinger, Lakin, Landwehr, Lewis, Mason, Ohaebosim, Orr, Osterman, Patton, Pittman, Powell, Proehl, Rafie, Resman, Rooker, Ryckman, Schroeder, Seiwert, Smith, A., Smith, E., Tarwater, Waymaster, Whitmer, Williams

Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

03/15/2017 House—Introduced

03/15/2017 House—Adopted without roll call—HJ 418

03/20/2017 House—Enrolled on Monday, March 20, 2017—HJ 471

- H 6023** Resolution by Representatives Ryckman, Alcalá, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carlin, Carmichael, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, Curtis, Davis, Deere, DeGraaf, Delperdang, Dierks,

Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Wheeler, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore

Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

03/15/2017 House—Introduced—HJ 437

03/16/2017 House—Adopted without roll call—HJ 447

03/21/2017 House—Enrolled on Tuesday, March 21, 2017—HJ 487

H 6024 Resolution by Representatives Johnson, Concannon
Commemorating Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas.

03/28/2017 House—Introduced—HJ 535

03/28/2017 House—Adopted without roll call—HJ 535

04/03/2017 House—Enrolled on Monday, April 03, 2017—HJ 592

H 6025 Resolution by Representatives DeGraaf, Alford, Baker, Barker, Blex, Brim, Carpenter, Delperdang, Dietrich, Dove, Ellis, Eplee, Esau, Finch, Garber, Gartner, Good, Highland, Hineman, Hoffman, Humphries, Jacobs, Karleskint, Lakin, Landwehr, Lewis, Mason, Ohaebosim, Orr, Osterman, Patton, Pittman, Powell, Proehl, Resman, Rooker, Ryckman, Schreiber, Schroeder, Seiwert, Smith, A., Smith, E., Tarwater, Terrell, Waymaster, Whitmer, Williams

Recognizing the month of April as Parkinson's Disease Awareness Month.

03/28/2017 House—Introduced—HJ 536

03/28/2017 House—Adopted without roll call—HJ 536

04/03/2017 House—Enrolled on Monday, April 03, 2017—HJ 592

H 6026 Resolution by Representatives Ohaebosim, Finney
Recognizing Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs.

03/29/2017 House—Introduced

03/29/2017 House—Adopted without roll call—HJ 548

04/04/2017 House—Enrolled on Tuesday, April 04, 2017—HJ 605

H 6027 Resolution by Representative Kelly
Designating April 4, 2017, as Senior Corps and National Service Day at the Capitol.

04/03/2017 House—Introduced—HJ 582

04/04/2017 House—Adopted without roll call—HJ 595

05/01/2017 House—Enrolled on Thursday, April 13, 2017—HJ 678

- H 6028** Resolution by Representative Judd-Jenkins
Recognizing the Etzanoa Conservancy for its work to uncover the history of the great Native American settlement of Etzanoa.
 04/05/2017 House—Introduced—HJ 608
 04/05/2017 House—Adopted without roll call—HJ 608
 04/07/2017 House—Enrolled on Friday, April 07, 2017—HJ 675
- H 6029** Resolution by Representatives Carlin, Alcala, Alford, Arnberger, Aurand, Awerkamp, Baker, Ballard, Barker, Becker, Bishop, Blex, Brim, Burroughs, Campbell, Carmichael, Carpenter, Claeys, Clark, Clayton, Concannon, Corbet, Cox, Crum, Curtis, Davis, Deere, DeGraaf, Delperdang, Dierks, Dietrich, Dove, Elliott, Ellis, Eplee, Esau, Finch, Finney, Francis, Frownfelter, Gallagher, Garber, Gartner, Good, Hawkins, Helgerson, Henderson, Hibbard, Highberger, Highland, Hineman, Hodge, Hoffman, Holscher, Houser, Huebert, Humphries, Jacobs, Jennings, Johnson, Jones, Judd-Jenkins, Karleskint, Kelly, Kessinger, Koesten, Kuether, Lakin, Landwehr, Lewis, Lusk, Lusker, Markley, Mason, Mastroni, Miller, Murnan, Neighbor, Ohaebosim, Orr, Osterman, Ousley, Parker, Patton, Phelps, Phillips, Pittman, Powell, Proehl, Rafie, Rahjes, Ralph, Resman, Rooker, Ruiz, Ryckman, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Stogsdill, Sutton, Swanson, Tarwater, Terrell, Thimesch, Thompson, Trimmer, Vickrey, Victors, Ward, Waymaster, Weber, Weigel, Wheeler, Whipple, Whitmer, Williams, Wilson, Winn, Wolfe Moore
A resolution recognizing April as the Month of the Military Child.
 04/06/2017 House—Introduced—HJ 621
 04/06/2017 House—Adopted without roll call—HJ 621
 05/01/2017 House—Enrolled on Thursday, April 13, 2017—HJ 678
- H 6030** Resolution by Representative Vickrey
Congratulating and commending the Louisburg High School band for receiving an invitation to perform in the Rose Parade in Pasadena, California.
 05/02/2017 House—Introduced
 05/02/2017 House—Adopted without roll call—HJ 681
 05/05/2017 House—Enrolled on Friday, May 05, 2017—HJ 817
- H 6031** Resolution by Representatives Hoffman, Corbet, Alford, Becker, Bishop, Blex, Carmichael, Carpenter, Clark, Concannon, Curtis, DeGraaf, Delperdang, Dietrich, Elliott, Ellis, Eplee, Esau, Finch, Francis, Garber, Hibbard, Highland, Houser, Huebert, Jacobs, Jennings, Judd-Jenkins, Kessinger, Landwehr, Lewis, Lusker, Mason, Mastroni, Ohaebosim, Orr, Osterman, Ousley, Phillips, Pittman, Rahjes, Resman, Ruiz, Sawyer, Schreiber, Schroeder, Schwab, Seiwert, Sloan, Smith, A., Smith, E., Tarwater, Thimesch, Thompson, Vickrey, Victors, Waymaster, Whitmer, Williams, Wilson
Commemorating the 80th anniversary of the American System of Conservation Funding.
 05/08/2017 House—Introduced
 05/08/2017 House—Adopted without roll call—HJ 818
 05/09/2017 House—Enrolled on Tuesday, May 09, 2017—HJ 865

- H 6032** Resolution by Representatives Phillips, Baker, Carlin, Clark, Concannon, Crum, Dierks, Dietrich, Elliott, Eplee, Finch, Francis, Gartner, Hibbard, Holscher, Judd-Jenkins, Kelly, Kuether, Lewis, Neighbor, Parker, Phelps, Proehl, Schreiber, Swanson, Terrell, Wheeler, Wolfe Moore
Commemorating the 100th anniversary of city management in Kansas.
05/11/2017 House—Introduced
05/11/2017 House—Adopted without roll call—HJ 871
05/18/2017 House—Enrolled on Thursday, May 18, 2017—HJ 985
- H 6033** Resolution by Representatives Patton, Aurand, Ballard, Deere, Dietrich, Elliott, Eplee, Gartner, Hodge, Karleskint, Kelly, Lewis, Lusker, Murnan, Neighbor, Rahjes, Schroeder, Seiwert, Ward, Winn
Congratulating and commending the Kansas Association of School Boards on its 100th year.
05/16/2017 House—Introduced—HJ 969
05/16/2017 House—Adopted without roll call—HJ 969
05/18/2017 House—Enrolled on Thursday, May 18, 2017—HJ 985
- H 6034** Resolution by
Congratulating and commending the Washburn University Debate Team.
05/18/2017 House—Introduced—HJ 980
05/18/2017 House—Adopted without roll call—HJ 980
05/22/2017 House—Enrolled on Monday, May 22, 2017—HJ 1023
- H 6035** Resolution by Representatives Ballard, Highberger, Sloan, Wilson
Recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the state of Kansas.
05/31/2017 House—Introduced
05/31/2017 House—Adopted without roll call—HJ 1074
06/01/2017 House—Enrolled on Thursday, June 01, 2017—HJ 1104
- H 6036** Resolution by Representatives Ryckman, Hineman, Ward
Assignment of seats in the house of representatives.
06/01/2017 House—Introduced—HJ 1101
06/01/2017 House—Adopted without roll call—HJ 1101
06/02/2017 House—Enrolled on Friday, June 02, 2017—HJ 1137
- H 6037** Resolution by Representatives Ryckman, Hineman, Ward
Assignment of seats in the house of representatives.
06/26/2017 House—Introduced
06/26/2017 House—Adopted without roll call
06/26/2017 House—Enrolled on Monday, June 26, 2017

2232

HISTORY OF BILLS

EXECUTIVE REORGANIZATION ORDERS

No Executive Reorganization Orders submitted by the Governor during 2017 Session

HISTORY OF HOUSE PETITIONS

No petitions filed during 2017 Session

FINAL
HOUSE CALENDAR
No. 90

JANUARY 9 - JUNE 26, 2017

NUMERICAL SCHEDULE OF HOUSE BILLS
2017 SESSION

2001 Judiciary S Sub	2032 Water & Environ	2065 Health & Hum Svcs
2002 Signed, Line Item Vetoed Sustained, Eff Dt 6/26/17	2033 Judiciary	2066 Signed, Ef Dt. 7/1/17
2003 Judiciary	2034 Judiciary	2067 Conference Comm
2004 Judiciary	2035 Sen Judiciary	2068 Appropriations
2005 Fin Inst & Pensions	2036 Sen Assess & Tax	2069 Sen Judiciary
2006 Signed, Ef Dt. 7/1/17	2037 Comm, Lbr & Eco Dev	2070 Sen Judiciary
2007 Vet & Military	2038 Comm, Lbr & Eco Dev	2071 Sen Judiciary
2008 Transportation	2039 Comm, Lbr & Eco Dev	2072 Appropriations
2009 Fed & State Affairs	2040 General Orders	2073 Fed & State Affairs
2010 Stricken, Rule 1507	2041 Signed, Ef Dt. 7/1/17	2074 Fed & State Affairs
2011 Stricken, Rule 1507	2042 General Orders	2075 Elections
2012 Elections	2043 Signed, Ef Dt. 4/20/17	2076 Sen Trans
2013 Sen Eth, Elec & Loc	2044 Vetoed, Sustained	2077 Judiciary
2014 Judiciary	2045 Sen Pub Hlth & Wel	2078 Education
2015 Elections	2046 Health & Hum Svcs	2079 Signed, Ef Dt. 7/1/17
2016 Transportation	2047 Sen Pub Hlth & Wel	2080 Signed, Ef Dt. 7/1/17
2017 Signed, Ef Dt. 1/18/17	2048 Sen Education	2081 General Orders
2018 Judiciary	2049 Sen Judiciary	2082 Taxation
2019 Children & Seniors	2050 Comm, Lbr & Eco Dev	2083 Taxation
2020 Elections	2051 Comm, Lbr & Eco Dev S Sub for Sub	2084 Sen Judiciary
2021 Insurance	2052 Signed, Ef Dt. 4/27/17 S Sub	2085 Signed, Ef Dt. 7/1/17
2022 Health & Hum Svcs	2053 Signed, Ef Dt. 7/1/17	2086 Appropriations
2023 Taxation	2054 Signed, Ef Dt. 7/1/17 S Sub	2087 Corr & Juv Justice
2024 Fed & State Affairs	2055 Signed, Ef Dt. 4/20/17	2088 Corr & Juv Justice
2025 Signed, Ef Dt. 7/1/17 S Sub	2056 Comm, Lbr & Eco Dev	2089 Corr & Juv Justice
2026 Signed, Ef Dt. 7/1/17 S Sub	2057 Comm, Lbr & Eco Dev	2090 Corr & Juv Justice
2027 Signed, Ef Dt. 7/1/17	2058 Comm, Lbr & Eco Dev	2091 Corr & Juv Justice
2028 Sen Pub Hlth & Wel	2059 Comm, Lbr & Eco Dev	2092 Signed, Ef Dt. 7/1/17
2029 Health & Hum Svcs	2060 Transportation	2093 Sen Judiciary
2030 Signed, Ef Dt. 7/1/17	2061 Engy, Util & Tel	2094 Signed, Ef Dt. 7/1/17
2031 Sen Pub Hlth & Wel	2062 Comm, Lbr & Eco Dev	2095 Signed, Ef Dt. 7/1/17
	2063 Judiciary	2096 Signed, Ef Dt. 7/1/17
	2064 Health & Hum Svcs	2097 Agriculture
		2098 Signed, Ef Dt. 7/1/17
		2099 Stricken, Rule 1507
		2100 Stricken, Rule 1507

2101 Judiciary	2147 Vet & Military	2193 Agriculture
2102 Signed, Ef Dt. 7/1/17	2148 Sen Transportation	Sub
2103 Insurance	2149 Health & Hum Svcs	2194 Sen Transportation
2104 Insurance	2150 Fed & State Affairs	2195 Health & Hum Svcs
2105 Taxation	2151 Health & Hum Svcs	2196 Vet & Military
2106 Sen Pub Hlth & Wel	2152 Health & Hum Svcs	S Sub
2107 Sen Pub Hlth & Wel	2153 Signed, Ef Dt. 7/1/17	2197 Sen Judiciary
2108 Children & Seniors	2154 Health & Hum Svcs	2198 Judiciary
2109 Signed, Ef Dt. 7/1/17	2155 Elections	2199 Fed & State Affairs
2110 Signed, Ef Dt. 4/20/17	2156 Fed & State Affairs	2200 Fed & State Affairs
2111 Conference Comm	2157 Elections	2201 Fed & State Affairs
2112 Taxation	2158 Signed, Ef Dt. 7/1/17	2202 Transportation
2113 Appropriations	2159 Elections	2203 Sen Trans
2114 Appropriations	2160 Sen Pub Hlth & Wel	2204 Education
2115 Judiciary	2161 Sen Ways & Means	2205 Sen Pub Hlth & Wel
2116 Judiciary	2162 Sen General Orders	2206 Health & Hum Svcs
2117 Elections	2163 Comm,Lbr&EcoDev	Sub
2118 Signed, Ef Dt. 7/1/17	2164 Signed, Ef Dt. 4/13/17	2207 Agriculture
2119 Health & Hum Svcs	2165 Education	2208 Agriculture
2120 Health & Hum Svcs	2166 Engy, Util & Tel	2209 Agriculture
2121 Sen Pub Hlth & Wel	2167 Corr & Juv Justice	2210 Sen Eth, Elec & Loc
2122 Fed & State Affairs	2168 Sen Commerce	2211 Elections
2123 Fed & State Affairs	2169 Health & Hum Svcs	2212 Signed, Ef Dt.
2124 Health & Hum Svcs	2170 Signed, Ef Dt. 7/1/17	7/1/17
2125 Sen Judiciary	2171 Fed & State Affairs	2213 Signed, Ef Dt. 7/1/17
2126 Sen Judiciary	2172 Fed & State Affairs	2214 Judiciary
2127 Judiciary	2173 Appropriations	2215 Judiciary
2128 Signed, Ef Dt. 7/1/17	S Sub	2216 Judiciary
S Sub	2174 Signed, Ef Dt. 7/1/17	2217 Signed, Ef Dt. 7/1/17
2129 Sen General Orders	2175 Vet & Military	2218 Health & Hum Svcs
S Sub	2176 Sen Judiciary	2219 Signed, Ef Dt. 7/1/17
2130 Sen General Orders	2177 Taxation	2220 Fed & State Affairs
2131 Taxation	Sub	2221 Health & Hum Svcs
S Sub	2178 Vetoed, Sustained	2222 Corr & Juv Justice
2132 Signed, Ef Dt. 7/1/17	2179 Education	Sub
2133 Appropriations	2180 Sen Ways & Means	2223 Sen Eth, Elec & Loc
2134 Agriculture	2181 Corr & Juv Justice	2224 Elections
2135 Agriculture	2182 Sen Ag & Nat. Res	2225 Elections
2136 Signed, Ef Dt. 4/20/17	2183 Comm,Lbr&EcoDev	2226 Health & Hum Svcs
2137 Signed, Ef Dt. 7/1/17	2184 Sen Commerce	2227 Taxation
2138 Local Gov	2185 Comm,Lbr&EcoDev	2228 Sen Assess & Tax
2139 Health & Hum Svcs	S Sub	2229 Taxation
2140 Signed, Ef Dt. 4/20/17	2186 Conference Comm	Sub
2141 Fed & State Affairs	2187 Sen Pub Hlth & Wel	2230 Signed, Ef Dt. 6/29/17
2142 K-12 Ed Budget	2188 Transportation	2231 Taxation
2143 K-12 Ed Budget	2189 Water & Environ	2232 Sen Pub Hlth & Wel
2144 Appropriations	2190 Engy, Util & Tel	2233 Stricken, Rule 1507
2145 General Orders	2191 Signed, Ef Dt. 7/1/17	2234 Sen Judiciary
2146 Taxation	2192 Signed, Ef Dt. 7/1/17	2235 Sen Assess & Tax

2236 Transportation	2279 Sen Ways & Means	2327 Comm, Lbr & Eco Dev
2237 Taxation	2280 Conference Comm	2328 Comm, Lbr & Eco Dev
2238 Taxation	2281 Transportation	2329 Signed, Ef Dt. 7/1/17
2239 Judiciary	2282 Comm, Lbr & Eco Dev	2330 Comm, Lbr & Eco Dev
2240 Sen Judiciary	2283 Taxation	Sub
2241 Water & Environ	2284 Corr & Juv Justice	2331 Sen Ways & Means
2242 K-12 Ed Budget	2285 Health & Hum Svcs	2332 Govt Tech & Sec
2243 Corr & Juv Justice	2286 Taxation	2333 Sen Eth, Elec & Loc
2244 Health & Hum Svcs	2287 Taxation	2334 Elections
2245 Judiciary	2288 K-12 Ed Budget	2335 Judiciary
2246 Agriculture	2289 Sen Fin Inst & Ins	2336 Judiciary
2247 Local Gov	2290 Corr & Juv Justice	2337 Judiciary
2248 Local Gov	2291 Corr & Juv Justice	2338 Corr & Juv Justice
2249 Comm, Lbr & Eco Dev	2292 Corr & Juv Justice	2339 Fed & State Affairs
2250 Taxation	2293 Judiciary	2340 Appropriations
2251 Elections	2294 Health & Hum Svcs	2341 General Orders
2252 Education	2295 Health & Hum Svcs	2342 Taxation
2253 Health & Hum Svcs	2296 Health & Hum Svcs	2343 Sen Pub Hlth & Wel
2254 Health & Hum Svcs	2297 Health & Hum Svcs	2344 K-12 Ed Budget
2255 Health & Hum Svcs	2298 Health & Hum Svcs	2345 K-12 Ed Budget
2256 Sen Eth, Elec & Loc	2299 Health & Hum Svcs	2346 K-12 Ed Budget
Sub	2300 Health & Hum Svcs	2347 K-12 Ed Budget
2257 Sen Transportation	2301 Signed, Ef Dt. 7/1/17	2348 Health & Hum Svcs
2258 Judiciary	2302 Sen Judiciary	2349 Comm, Lbr & Eco Dev
2259 Judiciary	2303 Elections	2350 Judiciary
2260 Sen Judiciary	S Sub	2351 Appropriations
2261 Taxation	2304 Signed, Ef Dt. 7/1/17	2352 Corr & Juv Justice
2262 Sen Judiciary	2305 Higher Ed Budget	2353 Signed, Ef Dt. 7/1/17
2263 Comm, Lbr & Eco Dev	2306 Sen Judiciary	2354 Comm, Lbr & Eco Dev
Sub	2307 Fed & State Affairs	2355 Appropriations
2264 General Orders	2308 Fed & State Affairs	2356 Signed, Ef Dt. 7/1/17
2265 Corr & Juv Justice	2309 Children & Seniors	2357 Comm, Lbr & Eco Dev
2266 Fin Inst & Pensions	2310 Elections	2358 Elections
2267 Fed & State Affairs	2311 Water & Environ	2359 Govt Tech & Sec
2268 Sen Fin Inst & Ins	2312 Signed, Ef Dt. 7/1/17	2360 Sen Ways & Means
2269 Transportation	2313 Vetoed, Signed	2361 Gen Gov Bdgt
2270 K-12 Ed Budget	2314 Taxation	2362 Sen Fed & State Aff
2271 Appropriations	2315 General Orders	2363 Appropriations
Sub	2316 Comm, Lbr & Eco Dev	Sub
2272 Sen Agriculture	2317 Engy, Util & Tel	2364 General Orders
2273 Sen Utilities	2318 Comm, Lbr & Eco Dev	2365 Appropriations
2274 Fed & State Affairs	2319 Sen Fed & State Aff	2366 Fed & State Affairs
2275 Fed & State Affairs	2320 Sen Judiciary	2367 Taxation
2276 Fed & State Affairs	2321 Judiciary	2368 Taxation
Sub	2322 Taxation	2369 Taxation
2277 Signed, Ef Dt. 7/1/17	2323 Appropriations	2370 General Orders
S Sub	2324 K-12 Ed Budget	2371 Taxation
2278 Law without Sig,	2325 Taxation	2372 Taxation
Eff Dt. 7/1/17	2326 Comm, Lbr & Eco Dev	2373 Taxation

2374 Education	Sub	2414 Fed & State Affairs
2375 Appropriations	2395 General Orders	2415 Taxation
2376 Taxation	2396 Taxation	2416 General Orders
2377 Taxation	2397 Judiciary	2417 Fed & State Affairs
2378 Taxation	2398 Fed & State Affairs	2418 General Orders
2379 K-12 Ed Budget	2399 Taxation	2419 General Orders
2380 Sen Assess & Tax	2400 General Orders	2420 Taxation
2381 Taxation	2401 Fed & State Affairs	2421 Taxation
2382 Taxation	2402 Appropriations	2422 Taxation
2383 Appropriations	2403 Appropriations	2423 Fed & State Affairs
2384 Taxation	2404 Local Gov	2424 General Orders
2385 Taxation	2405 Appropriations	2425 Fed & State Affairs
S Sub	2406 Taxation	2426 Signed, Ef. Dt. 7/1/17
2386 Sen General Orders	2407 Signed, Eff Dr.	2427 Fed & State Affairs
2387 Signed, Ef Dt. 3/23/17	6/29/17	2428 Taxation
2388 Appropriations	2408 Sen Assess & Tax	2429 Appropriations
2389 Fed & State Affairs	2409 Signed, Ef Dt. 7/1/17	2430 Appropriations
2390 Taxation	Sub	2431 Taxation
2391 Sen Judiciary	2410 Sen Sel Comm Ed Fin	2432 Taxation
2392 Appropriations	2411 Fed & State Affairs	2433 Taxation
2393 Appropriations	2412 Taxation	2434 Taxation
2394 Appropriations	2413 Fed & State Affairs	

NUMERICAL SCHEDULE OF HOUSE CONCURRENT RESOLUTIONS 2017 SESSION

5001 Adopted, Enrolled	5007 Fed & State Affairs	5013 Taxation
5002 Adopted, Enrolled	5008 Water & Environ	5014 Adopted, Enrolled
5003 Adopted, Enrolled	5009 Fed & State Affairs	5015 Adopted, Enrolled
5004 Fed & State Affairs	5010 Health & Hum Svcs	5016 Adopted, Enrolled
5005 Fed & State Affairs	5011 Elections	
5006 Fed & State Affairs	5012 Adopted, Enrolled	

NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2017 SESSION

6001 Adopted, Enrolled	6013 Adopted, Enrolled	6025 Adopted, Enrolled
6002 Adopted, Enrolled	6014 Adopted, Enrolled	6026 Adopted, Enrolled
6003 Adopted, Enrolled	6015 Adopted, Enrolled	6027 Adopted, Enrolled
6004 Adopted, Enrolled	6016 Adopted, Enrolled	6028 Adopted, Enrolled
6005 Adopted, Enrolled	6017 Adopted, Enrolled	6029 Adopted, Enrolled
6006 Adopted, Enrolled	6018 Died, Committee	6030 Adopted, Enrolled
6007 Adopted, Enrolled	6019 Adopted, Enrolled	6031 Adopted, Enrolled
6008 Adopted, Enrolled	6020 Adopted, Enrolled	6032 Adopted, Enrolled
6009 Adopted, Enrolled	6021 Adopted, Enrolled	6033 Adopted, Enrolled
6010 Adopted, Enrolled	6022 Adopted, Enrolled	6034 Adopted, Enrolled
6011 Adopted, Enrolled	6023 Adopted, Enrolled	6035 Adopted, Enrolled
6012 Adopted, Enrolled	6024 Adopted, Enrolled	6036 Adopted, Enrolled

6037 Adopted, Enrolled

NUMERICAL SCHEDULE OF SENATE BILLS 2017 SESSION

H Sub Sub	56 Elections	H Sub
8 Stricken, Rule 1507	57 Elections	109 Conference Comm
H Sub	H Sub	110 Passed
13 P Amend, Sen Concur	60 CCR Adopted	112 CCR Adopted
14 CCR Adopted	61 Appropriations	114 Appropriations
15 Passed	62 Appropriations	117 Agriculture
16 CCR Adopted	63 Passed	H Sub
17 Passed	65 P Amend, Sen Concur	120 P Amend, Sen Concur
18 Fin Inst & Pensions	66 Passed	124 P Amend, Sen Concur
19 CCR Adopted	67 Fin Inst & Pensions	H Sub
20 P Amend, Sen Concur	68 Passed	126 CCR Adopted
H Sub	Sub	130 Taxation
21, CCR Adopted	69 Health & Hum Svcs	135 Fed & State Affairs
22 Passed	H Sub	136 Appropriations
23 CCR Adopted	70 P Amend, Sen Concur	137 Fin Inst & Pensions
25 Comm, Lbr & EcoDev	Sub	138 Fin Inst & Pensions
26 Passed	74 Passed	144 Transportation
28 Taxation	75 Appropriations	146 General Orders
30 Vetoed, Overridden	78 Stricken, Rule 1507	149 CCR Adopted
32 P Amend, Sen Concur	83 CCR Adopted	154 Passed
36 Passed	85 Passed	166 Passed
H Sub	H Sub	174 Passed
40 CCR Adopted	86 P Amend, Sen Concur	179 Judiciary
H Sub	87 Fin Inst & Pensions	181 Appropriations
42 CCR Adopted	88 Transportation	184 Passed
43 Passed	89 CCR Adopted	186 Appropriations
46 CCR Adopted	92 Appropriations	Sub
47 Stricken, Rule 1507	93 Appropriations	189 Appropriations
48 K-12 Ed Budget	94 Appropriations	Sub
50 P Amend, Sen Concur	Sub Sub	198 Taxation
H Sub	95 Passed	201 CCR Adopted
51 P Amend, Sen Concur	96 CCR Adopted	202 Passed
H Sub	100 Passed	205 P Amend, Sen Concur
52 Appropriations	H Sub	217 Health & Hum Svcs
55 Passed	101 CCR Adopted	

NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS 2017 SESSION

1601 Adopted

1606 Adopted

1608 Adopted

LEGEND

Adptd	Adopted
CCR	Conference Committee Report
Comm Rp	Committee Report
Comm	Committee
Cal	Calendar
Conference Comm	Conference Committee
Con	Concur
Ef Dt	Effective Date
Fin Act	Final Action
Gen Orders	General Orders
H	House
Law without Sig,	Will become law without Governor's signature
Mat Chgd	Ruled Materially Changed by originating chamber
P Amend	Passed as amended by House
Sub	Substitute
Sen	Senate
Comm, Lbr & Eco Dev	Commerce, Labor and Economic Development
Corr & Juv Justice	Corrections and Juvenile Justice
Engy, Util & Tel	Energy, Utilities and Telecommunications
Fed & State Affairs	Federal and State Affairs
Fin Inst & Pensions	Financial Institutions and Pension
Gen Gov Bdgt	General Government Budget
Govt Tech & Sec	Government, Technology, and Security
Health & Hum Svcs	Health and Human Services
Higher Ed Budget	Higher Education Budget
K-12 Ed Budget	K-12 Education Budget
Local Gov	Local Government
Vet & Military	Veterans and Military
Water & Environ	Water and Environment
Sen Assess & Tax	Senate Assessment and Taxation
Sen Eth, Elec & Loc	Senate Ethics, Elections and Local Government
Sen Fed & State Aff	Senate Federal and State Affairs
Sen Fin Inst & Ins	Senate Financial Institutions and Insurance
Sen General Orders	Senate General Orders
Sen Pub Hlth & Wel	Senate Public Health and Welfare
Sen Sel Comm Ed Fin	Senate Select Committee on Education Finance
Sen Ways & Means	Senate Ways and Means

**SUMMARY OF ACTIONS ON
HOUSE BILLS, CONCURRENT RESOLUTIONS AND RESOLUTIONS - 2017**

HOUSE BILLS

House bills introduced in the 2017 session.....	434
House bills passed both houses and presented to Governor.	58
House bills signed by Governor.....	53
House bills with line item veto(es (Sub for Sub HB 2052).....	1
House bills becoming law without Governor's signature. .	1
House bills vetoed by Governor(HB 2044, Sub HB 2178 & HB 2313, vetoes sustained)	3
House bills killed in House.....	5
House bills killed in Senate.....	0
TOTAL.....	63
House bills in House Committees.....	286
House bills in Senate Committees.....	62
House bills in conference committees.....	4
House bills on House Calendar.....	15
House bills on Senate Calendar.....	4
House bills carried over to 2018 session.....	371
TOTAL.....	434

HOUSE CONCURRENT RESOLUTIONS

House concurrent resolutions introduced in 2017 session.....	16
House concurrent resolutions adopted by both houses.....	7
House concurrent resolutions killed in House.....	0
House concurrent resolutions killed in Senate.....	0
House concurrent resolutions in House Committees.....	9
House concurrent resolutions on House Calendar.....	0
House concurrent resolutions in Senate Committees.....	0
House concurrent resolutions carried over to 2018 Session.	9
TOTAL.....	16

HOUSE RESOLUTIONS

House resolutions introduced in 2017 session.....	37
House resolutions adopted.....	36
House resolutions killed.....	0
House resolutions dying in committee.....	1
House resolutions dying on Calendar.....	0
TOTAL.....	37

**APPOINTMENTS, GUESTS, COMMUNICATIONS
FROM STATE OFFICERS,
IN THE 2017 HOUSE JOURNAL**

APPOINTMENTS

- Of Susan Kannarr, chief clerk, p. 8.
- Of Foster Chisholm, sergeant-at-arms, p. 8
- Of Rev. Eunice Brubaker, chaplain, p. 8.
- Committee assignments, pp. 57-59.
- Committee assignments for Rep. Resman, p. 296.

RULES

- HR 6004, introduced pp. 17-44, adopted, pp. 74-75.
- HCR 5002, introduced pp. 46-52, adopted, p. 74.

SPECIAL GUESTS

Speaker Ryckman introduced Dr. Lynn Fisher, President of the Kansas Academy of Family Physicians. He is the 69th president of the Kansas Academy of Family Physicians, the group that sponsors the Doctor of the Day program, providing daily assistance for health concerns to those serving the Statehouse during the session, p. 53.

Rep. Jennings introduced the 2016 National Junior College Athletic Association National Champion Football Team, the Garden City Community College Broncbusters, pp. 83-84.

Rep. Hoffman introduced Rahel Mogo from Ethiopia, p. 97.

Rep. Dietrich introduced the 2017 Kansas Teacher of the Year, Jason Sickel and the 2017 Kansas Teacher of the Year Team, p. 104.

Rep. Waymaster introduced Ken Spurgeon, Shawn Bell, Neil Bontrager, Orin Friesen, Tom Lahay, Michael Martin Muphey and Cindy Tune, all involved in the production of **Home on the Range**, a film based on the famous Kansas song, pp. 149-150.

Rep. Concannon introduced Dr. Richard Bergen, the sculptor of our Ad Astra that sits atop the Capitol dome, p. 150.

Rep. Victors introduced Native American Elders in Kansas, p. 164.

Rep. Hoffman introduced Gina Johnson, South Central Kansas Special Education Cooperative Teacher of the Year, p. 165.

Rep. Neighbor introduced Chef Justin Hoffman, recognized in 2016 with the Leadership Innovation Award at the Center of the Advancement of Food Service Education Conference in Chicago, leader of the Shawnee Mission culinary arts program, Broadmoor Bistro in the Shawnee Mission School District, along with students Allen Pepito and Nora Engelken, p. 184.

Rep. Williams recognized Leadership Butler, p. 198.

Rep. Brim introduced Mill Valley High School football team and coaches, pp. 198-199.

Rep. Ruiz introduced Consul Alfonso Navarro-Bernachi of Mexico, p. 207.

Rep. Elliott introduced to the members of the House: Tom Aldag, National Institute for Aviation Research; Travis Bryant, Textron Aviation; Peggy Deiter, Bombardier Business Aircraft; Sam Sackett, Spirit AeroSystems; Belinda Witt and

Traci Nichols, Wichita Airport Authority; and Jim Hill and Gayle Goetz, Wichita Area Technical College, pp. 207-208.

Rep. Victors introduced Olympic medalist Nico Hernandez, p. 221.

Rep. Kuether, in recognition of **HR 6012**, introduced Washburn University basketball coach Bob Chipman, his wife Carol, father Bob, Sr., and daughter Kelsey, as well as President Farley from the University, p. 241.

Rep. Proehl introduced the following Phi Theta Kappa scholars to the members of the House. Alyssa Dehncke, Butler Community College; Cristin Shepard, Coffeyville Community College; Heaven Hanson, Kansas City Kansas Community College; Janel Baker, Labette Community College; Nathan Hills, Neosho County Community College- Ottawa; Obinna Muoh, Highland Community College; Courtney Anderson, Cowley College-Mulvane; Jennifer Barnett, Neosho County Community College- Chanutte; Cata Wedman, Johnson County Community College and Darrell Clifton, Independence Community College, p. 249.

Rep. Thompson introduced officers of State FFA: Elizabeth Meyer-President, Clara Wicoff-Vice president, Grace Luebcke-Secretary, Katelyn Bohnenblust-Treasurer, Jacob Grinstead-Reporter, and Trenton Smedly-Sentinel, p. 282.

Rep. Trimmer, in recognition of **HR 6009**, introduced Dustin Rimmey, Pam McComas, Gail Naylor and Craig Manteuffel, speech and debate educators, p. 299.

Rep. Highland introduced: 3A Football State Champions, Rossville Bulldogs: Head Coach, Derick Hammes; Assistant Coach, Dan Schneider; Assistant Coach, Jeremy Stephenson; Assistant Coach, Todd Reeves; Assistant Coach, Eammon Bradley; Assistant Principal/Athletic Director, Curt Brecheisen and Principal, Toby McCullough, p. 359.

Rep. Eplee introduced 2A Football State Champions, Troy High School: Head Coach Derek Jasper; Assistant Coach Don Cash (who coached Derek); the senior members of the Troy High School Trojans, pp. 361-362.

Rep. Kessinger introduced the following officials: Lottery Executive Director Terry Presta; Lottery Public Affairs Director, Sally Lunsford; and other Lottery employees, pp. 362-363.

Rep. Phillips introduced Boys and Girls Club of Coffeyville, Juleonna Breann Stevenson; Boys and Girls Club of Lawrence, Zion Bowlin; Boys and Girls Club of Manhattan, Ivy Auletti; Boys and Girls Club of Topeka, Mikayla Keeling; Boys and Girls Club of Hutchinson, Evelyn Leyva; Boys and Girls Club of South Central Kansas (Wichita), Christopher Burrell; McConnell Air Force Base Youth Program, Hannah Lamson and from Fort Leavenworth Youth Services, Celeste Nicole Marchbanks, pp. 363-364.

Rep. Wheeler introduced the first Kansas Annual Humanitarian of the Year Award for the year 2016, native son Dr. Luther Fry, from Garden City, Kansas, p. 372.

Rep. Seiwert introduced members of the senior government class of 2017 from Fairfield High School to the Capitol. They are here to shadow legislators in the House and Senate today. Members of the House of Representatives and their students are: Rep. Barbara Ballard/Kayley Geesling, Rep. Sydney Carlin/Katie Deal, Rep. John Carmichael/Nick McReynolds, Rep. Gail Finney/Jaismon Travelbee, Rep. Kyle Hoffman/Sierra Davis, Rep. Joe Seiwert/Maria Stirbul and Rep. Kathy Wolf Moore/Summer Brennan, and their instructor, Jody Lubbers, p. 374.

Rep. Schroeder introduced 2016 Miss Kansas Outstanding Teen, Paige

Kauffman, of Hesston, p. 376.

Rep. Schreiber presented the 2017 winners of the Kansas Small Business Development Center existing and emerging businesses of the year, p.387.

Rep. Rahjes introduced Valley Hope's current CEO Pat George, former Valley Hope CEO Dr. Ken Gregoire; Valley Hope Chief of Staff Tricia Olson; Valley Hope Marketing Development Manager for Eastern Kansas Christi Darnell; and Valley Hope Transportation Manager George Land, pp. 388-389.

Rep. Barker introduced the Abilene High School Cowboys Wrestling team, p. 415.

Rep. Patton introduced volunteers and leaders representing nonprofits, p. 415.

Rep. Dietrich introduced Kansas Master Teachers for 2017, who are from all across our state: John Butcher, an art teacher at Blue Valley Northwest High School in Overland Park; Melinda Eitel, a kindergarten teacher at Grace E. Steward Elementary School in Salina; Joan Hayden, a physical education teacher at Fort Riley Middle School; Jennifer Hendrix, a physics teacher at Dodge City High School in Dodge City; Kimberly Hett, a 5th grade teacher for Andover eCademy in Andover; Brandy Lane, a 6th grade teacher at Pauline South Intermediate School in Topeka; Laura Schwinn, Audio/Video Communications teacher at Emporia High School in Emporia, pp. 417-418.

Rep. DeGraaf recognized ministers, pastors, priests and rabbis of Kansas, p. 419.

Rep. Ryckman introduced Alok Madasani and Ian Grillot, in recognition of **HR 6023**, a resolution honoring the life of Srinivas Kuchibhotla, p. 447.

Rep. Wheeler introduced the Garden City High School Ladies Bowling Team, the winner of the 2017 6A State Championship, pp. 466-467.

Rep. Mason introduced Director General Jerry Chang, from the Taipei Economic and Cultural Office in Denver and Forster Lee, Director, also of the Taipei Economic and Cultural Office, p. 468.

Rep. Aramberger introduced Miss Capital City, Hannah Mauler and Miss Barton County, Maddy Hayden, pp. 472-473.

Rep. Markley introduced the Blue Valley Northwest High school 2017 State Champion "We the People" team, pp. 499-500.

Rep. Phelps introduced Gerard Wellbrock, "The Voice of the Fort Hays State University Tigers," along with his wife Tammy and his son Garrett, p. 500.

Rep. Schreiber introduced Kelly Moten, NCAA D-II Basketball National Player of the Year of Emporia Lady Hornet basketball team, p. 534.

Reps. Johnson and Concannon introduced a group from Bethany College, Lindsborg, in recognition of **HR 6024**, p. 535.

Rep. DeGraaf introduced those connected with Parkinson's Disease in recognition of **HR 6025**, pp. 536-538.

Rep. Becker introduced the NJCAA 2017 National Champions, the Hutchinson Community College Blue Dragons, pp. 562-563.

Rep. Humphries introduced Kansas Humanitarian Award winners Dr. Shaker and Mrs. Kathi Dakhil and Mr. Jack and Mrs. Marilyn DeBoer, p. 563.

Rep. Weber introduced those involved with the historical documentary *Town Teams—Bigger Than Baseball*, pp. 576-577.

Rep. Highland introduced the Christian Homes in Educational Fellowship (CHIEF) boys' basketball team from the Manhattan and Wamego areas, winner of the 2017 national Championship title in the boys' Varsity Large Program Division

2C at the National Christian Homeschool Championship held in Springfield, Missouri, pp. 593-594.

Rep. Rafie introduced representatives of the CarePortal program, including the following people: Tate Williams, State Director CarePortal; Jim West, Sr. Pastor, Colonial Presbyterian Church; Deacon Dana Nearnmeyer, Director of Evangelization, Archdiocese of Kansas City in Kansas and LaRochelle Young, Deputy Director, DCF Faith Based and Community Initiatives, p. 594.

Rep. Kelly introduced Representatives from three Senior Corps programs; Ada Wilson, Luella Lovelace and Kathy Shepard, and Samuel Linnebur, in recognition of **HR 6027**, p. 595-596.

Rep. Claeys introduced Sacred Heart High School Knights Boys Basketball 2017 Class 2A Champion team and coaches, pp. 606-607.

Rep. Deere introduced Lansing High School students Marie and Mykala Caraccilo, recent winners of DECA sponsored competition, p. 607.

In recognition of **HR 6028**, Rep. Judd-Jenkins introduced members of the Etzanao Conservancy and recognized their efforts to offer the site for a World Heritage Site by UNESCO and a National Historic Landmark, pp. 607-609.

Rep. Ellis introduced the Perry Pride Organization, pp. 620-621.

Rep. Brim introduced Prairie Ridge Elementary school representatives in recognition of Autism Awareness Month, p. 667.

Rep. Finney introduced Ms. Kansas Teen 2017 Brillian Lengeju, p. 762.

Rep. Smith introduced Jim Stukey, renowned artist from Burlington, p. 793.

Rep. Good introduced Sue Givens, Kansas School Superintendents' Association Superintendent of the Year, pp. 794-795.

Rep. Crum introduced Superintendent Dr. John Burke; Board President, Paige Crum; Communications Director, Liz Hames; Haysville West Middle School, Asst. Principal, Ty Hamilton and teacher, Somer Schmidt; Freeman Elementary, Principal, Dr. Donna Ferguson and teacher, Nichole Harkins; Ruth Clark Elementary, Principal, Carla Wulf and teacher, Steve Miller; and from Nelson Elementary, Principal, Mike Mitchener and teacher, Ashley Garten, p. 867.

Rep. Lusker introduced 4A State Basketball Champions, Girard High School Ladies Trojans, pp. 876-877.

Rep. Orr introduced USD 220 staff members who spent countless hours volunteering during the Starbuck Fire in Clark County, p. 877.

Rep. Patton introduced members of the Kansas Association of School Boards in recognition of **HR 6033**, pp. 969-970.

Rep. Trimmer introduced Kansas Teachers' Hall of Fame inductee, Peggy Craig, p. 980.

Rep. Deere introduced the Sunflower Chapter of the National Scoliosis foundation, pp. 1028-1029.

Rep. Lusker introduced the Girard high School Lady Trojans Softball team, p. 1101.

COMMUNICATIONS FROM STATE OFFICERS

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2016 Regular Session of the Legislature:

From Derek Schmidt, Attorney General, the annual report of the Consumer Protection & Antitrust Division.

From Nadira Patrick, Manager, Major Projects and Comprehensive Training, Kansas Department of Commerce, Investment in Major Projects and Comprehensive Training (IMPACT) Annual Report.

From Nadira Patrick, Manager, Kansas Economic Opportunity Initiative, Kansas Department of Commerce, Kansas Economic Opportunity Annual Report.

From Alan D. Conroy, Executive Director, Kansas Public Employees Retirement System, the required annual report regarding KPERs Investments in Sudan.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 22a-243. The 2016 annual report of the Kansas State Child Death Review Board.

From Dennis Mesa, Executive Director, Kansas Housing Resources Corporation, the financial statement for the fiscal year ended June 30, 2016, which is available at: <http://www.kshousingcorp.org/financial-statements.aspx>.

From Molly McGovern, Administrator, Kansas and Missouri Metropolitan Culture District Commission, the 2014-2015 Comprehensive Annual Financial Report.

From Tim Shallenburger, President, Kansas Development Finance Authority, the annual financial report for fiscal years 2015 and 2016, also available at www.kdfa.org.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-7c16(b), the statistical report indicating the number of concealed carry licenses issued, revoked, suspended and denied during the preceding fiscal year.

From Derek Schmidt, Attorney General, pursuant to K.S.A. 75-723, the fiscal year 2016 annual report of the Abuse, Neglect and Exploitation Unit.

From Bob Page, President and Chief Executive Officer, The University of Kansas Hospital, in accordance with K.S.A. 76-3312(p), the Annual Report.

From Kristen Basso, Communications Officer, Kansas Public Employees Retirement System, the Comprehensive Annual Financial Report for fiscal year 2016 is available at <http://www.kpers.org/annualreport2016.pdf>.

From Scott W. Miller, Director of Investments, Kansas Pooled Money Investment Board, the Annual Report for Fiscal Year 2016.

From the Office of Governor Sam Brownback:

A Proclamation calling the legislature into Special Session to address school finance.

Executive Directive No.16-471, Authorizing Personnel Transactions and Expenditure of Federal Funds.

Executive Directive No. 16-472, Authorizing Personnel Transactions and Expenditure of Federal Funds.

Executive Directive No. 16-473, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-474, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-475, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-476, Authorizing Expenditure of Federal Funds.

Executive Directive No. 16-477, Authorizing Expenditure of Federal Funds.

Executive Order No. 16-02, rescinding Executive Order 15-04, dated June 30, 2015, pp. 12-13.

From Kansas Department of Transportation, Division of Aviation; Unmanned Aerial Systems, 5-Year Strategic Plan, p. 59.

From Martha K. Gabehart, Executive Director, Kansas Commission on Disability Concern (KCDC), Kansas Employment First Oversight Commission; 2017 Recommendations Statement, p. 69.

From Timothy E. Keck, Acting Secretary, Kansas Department for Aging and Disability Services; pursuant to K.S.A. 59-29a11(e), an annual report detailing activities related to the transitional release and conditional release of sexually violent predators, p. 82.

From Joseph House, Paramedic, Executive Director, Kansas Board of Emergency Medical Services; an annual report on the number, amount and reasons for fines imposed and subpoenas issued by the board during 2016, p. 82.

From Kirk D. Thompson, Director, Kansas Bureau of Investigation, in compliance with K.S.A. 60-4117; report regarding the status of the KBI State Forfeiture Fund, p. 85.

From Mark A. Bruce, Superintendent, Kansas Highway Patrol; pursuant to K.S.A. 60-4117, report regarding state forfeiture funds, p. 95.

From Elaine Frisbie, Kansas Board of Regents; as directed by K.S.A. 76-717, annual report on exceptions to the minimum admission standards at state universities, p. 95.

From Mike Michael, Director, State Employee Health Plan, Division of Health Care Finance, Kansas Department of Health and Environment; in compliance with K.S.A. 75-6509, the Kansas State Employees Health Care Commission 2016 Annual Report, p. 103.

From Robin Jennison, Secretary of Kansas Department of Wildlife, Parks & Tourism; Division of Tourism Annual Report FY16, p. 103.

From Kansas State Department of Education, Early Childhood, Special Education and Title Services, according to K.S.A. 72-89b01 to -89b05; information related to school safety and security for the 2015-2016 school year, p. 103.

From Alexandra Blasi, JD, MBA, Executive Secretary, Kansas Board of Pharmacy; pursuant to K.S.A. 65-4102(b), Report on Substances Proposed for Scheduling, Rescheduling or Deletion, p. 113.

From J.L. Norwood, Secretary of Corrections, Kansas Department of Corrections; pursuant to K.S.A. 75-52,148, report of Crimes Committed by Sex Offenders while in Custody, p. 162.

From Lee E. Tafanelli, Major General, Kansas National Guard, The Adjutant General; The Adjutant General's Department Annual Report for 2016, p. 162.

From James R. Hubbard, Attorney for the Authority, Johnson County Education Research Triangle; in accordance with K.S.A. 19-5005(e), Annual Report for year ending June 30, 2016, p. 162.

From Frank J. Yeoman, Jr., Chair, Board of Directors, Kansas Guardianship Program; 2016 Annual Report, p. 167.

From Antonio J. Soave, Secretary of Commerce, Kansas Department of Commerce, in accordance with K.S.A. 2016 Supp. 12,17,169(c)(2)(A); 2017 STAR Bond Annual Report, p. 170.

From Derek Schmidt, Kansas Attorney General, State of Kansas Office of the Attorney General, pursuant to K.S.A. 60-4117(d)(1); Annual report for Attorney General's State Medicaid Fraud Forfeiture Fund, p. 170.

From Derek Schmidt, Kansas Attorney General, State of Kansas Office of the Attorney General; pursuant to K.S.A. 74-7316, 2016, Annual Report of the Crime Victims Compensation Board, p. 195.

From Kris Kobach, Secretary of State, certification of John Resman's appointment to fulfill the unexpired term for 121st Legislative District, p. 248.

From Barbara J. Hickert, State Long-Term Care Ombudsman, Kansas Department of Administration, per K.S.A. 75-7306; the Kansas Long-Term Care Ombudsman Annual Report for State Fiscal Year 2016, p. 263.

From Samuel M. Williams, Secretary of Revenue, Kansas Department of Revenue, pursuant to K.S.A. 74-50, 118(c), annual report to the Governor and Legislature estimating the state tax expenditures from income tax credits claimed and sales tax exemptions allowed under the Kansas Enterprise Zone Act, p. 595.

From Kris Kobach, Secretary of State, certification of Jesse Burris to appointee to fulfill the vacancy created by the resignation of Pete DeGraaf, 82nd Legislative District, p. 1100.

From Ruth Glover, Executive Director, Kansas Human Rights Commission, Annual Report 2016, p. 1138.

MESSAGES FROM THE GOVERNOR

State of the State, pp. 59-66.

Compact Relating to Cigarette and Tobacco Sales, Taxation and Escrow Collection with the Kickapoo Tribe in Kansas as of December 21, 2016, pp. 119-147.

Veto message regarding **Substitute for HB 2178**, pp. 311-312.

Executive Order No. 17-01, Concerning Regional Emergencies; Conditional and Temporary Relief from Motor Carrier Rules and Regulations, p. 413.

Compact Relating to Cigarette Sales, Taxation and Escrow Collection with the Sac and Fox Nation of Missouri in Kansas and Nebraska as of March 10, 2017, pp. 422-437.

Executive Directive No. 17-478, Concerning Authorizing Expenditure of Federal Funds, p. 468.

Veto Message regarding **HB 2044**, pp. 564-565.

Executive Directive No. 17-02, Authorizing Conditional and Temporary Relief from Motor Carrier Rules and Regulations, p. 677.

SPECIAL REMARKS

Rep. Kleeb, upon his resignation from the House, p. 53.

Rep. Ballard in recognition of Dr. Martin Luther King Day, pp. 80-81.

Rep. Kiegerl upon his resignation from the House, p. 239.

Rep. E. Smith in recognition of Law Enforcement Officers Memorial Ceremony, pp. 796-797.

Rep. DeGraaf, upon his resignation from the House, pp. 878-879.

Speaker Ryckman upon the death of Rep. Terrell, pp. 1436-1437.

AUTHOR INDEX

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- HB 2226 Prohibition of state mental health facility privatization.
- HB 2261 Providing a sales tax exemption for certain veterans service organizations.
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Clark, Lonnie

- HB 2261 Providing a sales tax exemption for certain veterans service organizations.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Clayton, Stephanie

- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Concannon, Susan

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2168 Enacting the ad astra rural jobs act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6006 Recognizing February 3, 2017, as National Wear Red Day.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6024 Commemorating Bethany College's 135 years of educational service to the City of Lindsborg and to the entire state of Kansas.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

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- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Corbet, Ken

- HB 2261 Providing a sales tax exemption for certain veterans service organizations.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Cox, Tom

- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Crum, Steven

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Curtis, Pam

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
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- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Davis, Erin

- HB 2168 Enacting the ad astra rural jobs act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Deere, Debbie

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

DeGraaf, Pete

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HCR 5009 State constitution, human life amendments.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Delperdang, Leo

- HCR 5009 State constitution, human life amendments.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Dierks, Diana

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Dietrich, Brenda

- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
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- HR 6032 Commemorating the 100th anniversary of city management in Kansas.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Dove, Willie

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
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- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Elliott, Roger

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
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HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Ellis, Ronald

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.

HCR 5009 State constitution, human life amendments.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Eplee, John

HB 2226 Prohibition of state mental health facility privatization.

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HCR 5009 State constitution, human life amendments.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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HR 6032 Commemorating the 100th anniversary of city management in Kansas.

HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Esau, Keith

HB 2011 Campaign finance; increasing contribution limits; contributions received during primary period.

HB 2012 Elections; voter registration lists; free copies quarterly to recognized political parties.

HB 2013 Write in candidates in primary elections must agree in writing to have their names placed on general election ballot.

HB 2015 Governmental ethics commission; investigation procedures.

HB 2017 Vacancy elections; United States representative to congress.

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.

HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.

HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.

HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

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- HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Finch, Blaine

- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
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 HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
 HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Finney, Gail

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
 HB 2018 Requiring conviction before forfeiture of assets.
 HB 2020 Elections; registration; election day registration.
 HB 2115 Providing for fair consideration for employment to persons with records of conviction.
 HB 2179 Due process for terminating teachers' contracts.
 HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
 HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6026 Recognizing Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs.
 HR 6029 A resolution recognizing April as the Month of the Military Child.

Francis, Shannon

- HB 2226 Prohibition of state mental health facility privatization.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
 HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Frownfelter, Stan

- HB 2179 Due process for terminating teachers' contracts.
 HB 2226 Prohibition of state mental health facility privatization.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.

Gallagher, Linda

- HB 2226 Prohibition of state mental health facility privatization.
 HB 2293 Amending the protection from abuse act and protection from stalking act to establish the

protection from stalking and sexual assault act.

HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

Garber, Randy

HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.

HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.

HCR 5009 State constitution, human life amendments.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Gartner, Jim

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.

HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.

HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6032 Commemorating the 100th anniversary of city management in Kansas.

HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Good, Mary Martha

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

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- HCR 5009 State constitution, human life amendments.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Hawkins, Daniel

- HR 6008 A resolution designating February 7, 2017 as Multiple Sclerosis Action Day at the Capitol.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Helgerson, Henry

- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Henderson, Broderick

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Hibbard, Larry

- HB 2226 Prohibition of state mental health facility privatization.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Highberger, Dennis "Boog"

- HB 2147 Authorizing the department of revenue to study Native American veterans' income tax settlement claims.
- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2245 Attorney licensure and information; supreme court nominating commission; judicial district nominating commissions.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the

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Year.

- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6035 Recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the state of Kansas.

Highland, Ron

- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HCR 5009 State constitution, human life amendments.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Hineman, Don

- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5001 Joint session for hearing message of the governor.
- HCR 5012 Joint session for hearing message of supreme court.
- HCR 5014 Adjournment of the legislature for a time during the 2017 session.
- HCR 5015 Adjournment of the legislature for a time during the 2017 session.
- HCR 5016 Adjournment of the 2017 regular session of the legislature.
- HR 6001 Organization of the House of Representatives, 2017.
- HR 6002 Assignment of seats in House of Representatives, 2017.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6036 Assignment of seats in the house of representatives.
- HR 6037 Assignment of seats in the house of representatives.

Hodge, Tim

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.

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- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Hoffman, Kyle

- HB 2168 Enacting the ad astra rural jobs act.
 HB 2226 Prohibition of state mental health facility privatization.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Holscher, Cindy

- HB 2179 Due process for terminating teachers' contracts.
 HB 2226 Prohibition of state mental health facility privatization.
 HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Houser, Michael

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
 HB 2308 Suicide evaluation upon admission to certain treatment facilities.
 HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Huebert, Steve

- HB 2278 Hillside cemetery district; deannexation of territory located within the city of Valley Center.
 HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
 HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
 HCR 5009 State constitution, human life amendments.

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- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Humphries, Susan

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
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- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Jacobs, Trevor

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HCR 5009 State constitution, human life amendments.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
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- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Jennings, Russell

- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Johnson, Steven

- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6024 Commemorating Bethany College's 135 years of educational service to the City of

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Lindsborg and to the entire state of Kansas.

HR 6029 A resolution recognizing April as the Month of the Military Child.

Jones, Kevin

HB 2226 Prohibition of state mental health facility privatization.

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HB 2322 Sales tax holiday for certain back-to-school items.

HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.

HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

Judd-Jenkins, Anita

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6028 Recognizing the Etzanoa Conservancy for its work to uncover the history of the great Native American settlement of Etzanoa.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Karleskint, Jim

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Kelly, Jim

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6027 Designating April 4, 2017, as Senior Corps and National Service Day at the Capitol.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6032 Commemorating the 100th anniversary of city management in Kansas.

HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Kessinger, Jan

HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2179 Due process for terminating teachers' contracts.

HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.

See "Title and History of House Bills and House Resolutions" for status information

- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Kiegerl, Mike

- HB 2021 Providing insurance coverage for hearing aids.
- HB 2022 Kansas right to try act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.

Koesten, Joy

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Kuether, Annie

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6012 Congratulating and commending Washburn University men's basketball head coach, Bob Chipman, on a successful career.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Lakin, Greg

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Landwehr, Brenda

- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Lewis, Greg

- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Lusk, Nancy

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Lusker, Adam

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Markley, Patty

- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Mason, Les

- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Mastroni, Leonard

- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Miller, Vic

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2131 Providing a sales tax exemption for food and food ingredients.
- HB 2158 Providing for canvassing of advance ballots submitted by mail on election day.
- HB 2159 Voter registration; proof of citizenship repealed.

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- HB 2226 Prohibition of state mental health facility privatization.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Murnan, Monica

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Neighbor, Cindy

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Ohaebosim, KC

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6026 Recognizing Storytime Village, Inc. for its work in giving young Kansas children the opportunity for a better future through its literacy programs.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Orr, Boyd

- HB 2226 Prohibition of state mental health facility privatization.

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- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Osterman, Les

- HB 2261 Providing a sales tax exemption for certain veterans service organizations.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Ousley, Jarrod

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2251 Election audits; voting machine requirements; time of canvass.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Parker, Brett

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Patton, Fred

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Phelps, Eber

- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Phillips, Tom

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2261 Providing a sales tax exemption for certain veterans service organizations.
- HR 6015 Recognizing the Boys and Girls Clubs across Kansas for the outstanding services they provide for young people and their families.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Pittman, Jeff

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Powell, Randy

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HCR 5009 State constitution, human life amendments.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Proehl, Richard

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Rafie, Abraham

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6010 Congratulating and commending the Blue Valley School District on their academic excellence.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Rahjes, Ken

- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year

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- team.
 HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
 HR 6020 Honoring the 50th anniversary of Valley Hope Treatment Center.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
 HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Ralph, Bradley

- HB 2226 Prohibition of state mental health facility privatization.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6029 A resolution recognizing April as the Month of the Military Child.

Resman, John

- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
 HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
 HR 6029 A resolution recognizing April as the Month of the Military Child.
 HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Rooker, Melissa

- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
 HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
 HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
 HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
 HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
 HR 6029 A resolution recognizing April as the Month of the Military Child.

Ruiz, Louis

- HB 2009 State capitol; concealed handguns prohibited except for authorized law enforcement.
 HB 2010 Prohibiting the operation of a motor vehicle while using wireless communication device; exceptions; penalties.
 HB 2179 Due process for terminating teachers' contracts.
 HB 2261 Providing a sales tax exemption for certain veterans service organizations.
 HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.

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- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Ryckman, Ron

- HCR 5001 Joint session for hearing message of the governor.
- HCR 5002 Joint rules for the senate and house of representatives, 2017-2018.
- HCR 5012 Joint session for hearing message of supreme court.
- HCR 5014 Adjournment of the legislature for a time during the 2017 session.
- HCR 5015 Adjournment of the legislature for a time during the 2017 session.
- HCR 5016 Adjournment of the 2017 regular session of the legislature.
 - HR 6001 Organization of the House of Representatives, 2017.
 - HR 6002 Assignment of seats in House of Representatives, 2017.
 - HR 6003 Rules of the house of representatives, temporary 2017 session.
 - HR 6004 Rules of the House of Representatives, permanent rules for the 2017-2018 biennium.
 - HR 6013 Assignment of seats in the house of representatives.
 - HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
 - HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
 - HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6036 Assignment of seats in the house of representatives.
- HR 6037 Assignment of seats in the house of representatives.

Sawyer, Tom

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Schreiber, Mark

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and

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Taiwan.

- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Schroeder, Don

- HB 2226 Prohibition of state mental health facility privatization.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Schwab, Scott

- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Seiwert, Joe

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Sloan, Tom

- HB 2007 Providing leave for civil air patrol members.
- HB 2226 Prohibition of state mental health facility privatization.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and

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Taiwan.

- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6035 Recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the state of Kansas.

Smith, Adam

- HB 2179 Due process for terminating teachers' contracts.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5009 State constitution, human life amendments.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Smith, Eric

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HCR 5009 State constitution, human life amendments.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Stogsdill, Jerry

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HB 2318 Creating the Kansas arts commission and transferring certain functions to it from the Kansas creative industries commission.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

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HR 6029 A resolution recognizing April as the Month of the Military Child.

Sutton, Bill

HB 2167 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6007 Congratulating and commending Crysta Baier's fourth grade class at Edgerton Elementary and KC Healthy Kids on their efforts to support healthy kids and healthy communities through I Am Here.

HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.

HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

Swanson, Susie

HB 2008 Requiring seat belts on school buses.

HB 2226 Prohibition of state mental health facility privatization.

HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Tarwater, Sean

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.

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HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Terrell, Patsy

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.

HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year

team.

- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Thimesch, Jack

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Thompson, Kent

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Trimmer, Ed

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6009 Recognizing National Speech and Debate Education Day.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Vickrey, Jene

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6030 Congratulating and commending the Louisburg High School band for receiving an invitation to perform in the Rose Parade in Pasadena, California.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

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Victors, Ponka-We

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2147 Authorizing the department of revenue to study Native American veterans' income tax settlement claims.
- HB 2179 Due process for terminating teachers' contracts.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Ward, Jim

- HB 2154 Expanding medicaid to the extent permitted under the affordable care act.
- HB 2155 Lobbying restrictions; certain elected state officers and executive staff.
- HB 2156 Enacting the Kansas protection against terrorists act.
- HB 2157 Help Kansas vote act.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2221 Repealing the health care compact.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2280 Adding a minority party member to the state rules and regulations board and designating a ranking minority party member on the joint committee on administrative rules and regulations.
- HB 2316 Enacting the Kansas working families pay raise act.
- HCR 5001 Joint session for hearing message of the governor.
- HCR 5012 Joint session for hearing message of supreme court.
- HCR 5014 Adjournment of the legislature for a time during the 2017 session.
- HCR 5015 Adjournment of the legislature for a time during the 2017 session.
- HCR 5016 Adjournment of the 2017 regular session of the legislature.
- HR 6001 Organization of the House of Representatives, 2017.
- HR 6002 Assignment of seats in House of Representatives, 2017.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.
- HR 6036 Assignment of seats in the house of representatives.
- HR 6037 Assignment of seats in the house of representatives.

Waymaster, Troy

- HB 2168 Enacting the ad astra rural jobs act.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

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- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Weber, Chuck

- HB 2226 Prohibition of state mental health facility privatization.
- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6014 Recognizing the 28th anniversary of sister-state relations between the State of Kansas and Taiwan.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Weigel, Virgil

- HB 2179 Due process for terminating teachers' contracts.
- HB 2226 Prohibition of state mental health facility privatization.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

Wheeler, John

- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6032 Commemorating the 100th anniversary of city management in Kansas.

Whipple, Brandon

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2179 Due process for terminating teachers' contracts.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HB 2317 Requiring applicable OSHA training for workers working on high voltage electric transmission lines.
- HCR 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.

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Whitmer, John

- HB 2307 Withholding life-sustaining treatment from patients under 18 years of age.
- HCR 5007 Constitutional amendment to prescribe revenue, expenditure and taxation limitations on state government.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Williams, Kristey

- HB 2319 Regulating abortion practice; requiring certain physician information to be provided under the woman's-right-to-know act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6022 Commending the ministers, pastors, priests and rabbis of Kansas for their leadership and commitment to improving lives.
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- HR 6025 Recognizing the month of April as Parkinson's Disease Awareness Month.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.

Wilson, John

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on state-issued identification cards.
- HB 2293 Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act.
- HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.
- HR 6016 Recognizing that pornography is a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms.
- HR 6017 Recognizing after-school programs in Kansas and the increased exposure to Science, Technology, Engineering and Math (STEM) they provide to K-12 youth.
- HR 6019 Recognizing the Kansas Small Business Development Center's 2017 Businesses of the Year.
- HR 6021 Congratulating and commending the 2017 Kansas Master Teachers.
- HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.
- HR 6029 A resolution recognizing April as the Month of the Military Child.
- HR 6031 Commemorating the 80th anniversary of the American System of Conservation Funding.
- HR 6035 Recognizing Chancellor Bernadette Gray-Little's dedicated service to the University of Kansas and the state of Kansas.

Winn, Valdenia

- HB 2016 People with certain disabilities; motor vehicle registration information and notation on

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state-issued identification cards.

HB 2179 Due process for terminating teachers' contracts.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6033 Congratulating and commending the Kansas Association of School Boards on its 100th year.

Wolfe Moore, Kathy

HB 2179 Due process for terminating teachers' contracts.

HB 2226 Prohibition of state mental health facility privatization.

HCRC 5011 Revising article 10 of the Kansas constitution; establishing a redistricting commission.

HR 6005 Congratulating and commending the members of the 2017 Kansas Teacher of the Year team.

HR 6023 Honoring the life of Srinivas Kuchibhotla and recognizing a united community and state.

HR 6029 A resolution recognizing April as the Month of the Military Child.

HR 6032 Commemorating the 100th anniversary of city management in Kansas.

State Legislature, House Committees (Various)

Agriculture

H Sub SB60 Substitute for SB 60 by Committee on Agriculture – Extending the sunset of certain agricultural fees and authorizing the Kansas secretary of agriculture to collect a fee for processing paper documents.

HB 2097 Amending the Kansas pet animal act.

HB 2098 Naming the mined land wildlife area bison herd.

HB 2099 Relating to remedies for the impairment of a valid water right or permit to divert and use water.

HB 2100 Relating to water conservation areas.

HB 2134 Relating to certain department of agriculture fees.

HB 2135 Relating to fees for dairy businesses and the processing of paper documents by the Kansas secretary of agriculture.

HB 2136 Updating provisions relating to weights and measures.

HB 2191 Relating to licenses, permits, stamps and other issues of the Kansas department of wildlife, parks and tourism.

HB 2192 Renaming Lake Scott state park.

HB 2193 Requiring the completion of a boater safety education course.

HB 2207 Hunting on private land by written permission only.

Sub HB2207 Substitute for HB2207 by Committee on Agriculture – Relating to the pursuit of wounded animals onto private land.

HB 2208 Relating to the transferability of deer permits.

HB 2209 Creating a program to research the use of industrial hemp.

HB 2246 Amendments to the Kansas noxious weed law.

Appropriations

H Sub SB109 House Substitute for SB 109 by Committee on Appropriations - Appropriations for FY 2017, FY 2018, FY 2019 and FY 2020 for various state agencies.

HB 2052 Appropriation revisions for FY 2017, FY 2018 and FY 2019 for various state agencies.

Sub HB2052 Substitute for HB 2052 by Committee on Appropriations - Appropriations for FY 2017, FY 2018, FY 2019 and FY 2020 for various state agencies.

HB 2068 Enforcement of child support orders against persons in arrearage.

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- HB 2108 Amendments to the grandparents as caregivers act.
- HB 2109 Authorizing the state board of regents to sell, exchange and convey certain real property in Riley county and Sedgwick county on behalf of Kansas state university and Wichita state university.
- HB 2113 Permanently exempting postsecondary educational institutions from the public buildings law under the personal and family protection act.
- HB 2114 Permanently exempting community mental health centers from the public buildings law under the personal and family protection act.
- HB 2133 Joint revenue estimates, move April 20 date to May 1.
- HB 2144 Civil service; if a state employee in the classified service voluntarily transfers into unclassified service, such employee is not be eligible to be rehired or transferred to a position in the classified service within the same state agency.
- HB 2161 State finances; requiring the KPERs board to liquidate the pooled money investment portfolio pursuant to K.S.A. 2016 Supp. 75-2263; transferring money to the state general fund and to the pooled money investment portfolio; authorizing the pooled money investment board to invest idle funds available for long term investment.
- HB 2180 Increasing the health maintenance organization privilege fee and extending the medical assistance fee fund.
- HB 2279 Relating to disposition of drivers' license reinstatement fees and the judicial branch nonjudicial salary adjustment fund.
- HB 2323 Providing a post-retirement benefit increase (COLA) for certain retirants of KPERs.
- HB 2324 School district finance and quality performance act of 2017.
- HB 2340 Transferring actual SGF revenues in excess of the joint estimate of revenue to the budget stabilization fund and prescribing uses for moneys credited to such fund.
- HB 2360 Establishing the division of the state employee health benefits plan in the department of administration.
- HB 2361 Transferring administration of the state workers compensation self-insurance fund to the department of administration.
- HB 2362 Establishing the alcoholic beverage control modernization fee.
- HB 2363 Authorizing the department of administration to sell specified surplus state property on behalf of various state agencies.
- HB 2364 Appropriations for FY 2018, FY 2019, FY 2020 and FY 2021 for various state agencies.
- Sub HB2364 Substitute for HB 2364 by Committee on Appropriations - Appropriations for FY 2017, FY 2018, FY 2019 and FY 2020 for various state agencies.
- HB 2365 Making appropriations for FY 18 and FY 19 for the judicial branch.
- HB 2375 Department of commerce appropriations for fiscal years 2018 and 2019 for the rural opportunity zones program.
- HB 2379 Requiring school district expenditure reporting under the Kansas uniform financial accounting and reporting act.
- HB 2383 Providing pay increases for public employees based on increase in tax revenue.
- HB 2388 Authorizing the sale of certain Kansas lottery revenues.
- HB 2392 Repealing the local government infrastructure improvement projects loan program; abolishing the Kansas partnership fund.
- HB 2393 Hazardous materials endorsement for commercial driver's licenses; transportation security administration security screening process; abolishing the hazmat fee fund.
- HB 2394 Abolishing the judiciary technology fund, access to justice fund, KAN-ED fund and ROTC service scholarship program fund; credits, transfers and liabilities.
- HB 2402 Debt set off; allowing the director of accounts and reports to enter into an agreement with third party vendors to assist in collecting debts against the state.
- HB 2403 Reinstating the enterprise zone program as an option in lieu of participation in the rural opportunity zone program for counties designated as rural opportunity zones.

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- HB 2405 Concerning funding for the senior care act and redeemable beverage containers.
- HB 2407 Duties of the attorney general and the secretary of administration concerning certain real estate transfers.
- HB 2409 Prohibiting state contracts with companies that are engaged in an anti-Israeli boycott.
- HB 2410 Creating the Kansas school equity and enhancement act
- HB 2412 Providing for a \$.05 increase in motor fuel taxes; trip permits; distribution of revenues.
- HB 2413 Amending the Kansas indoor clean air act.
- HB 2418 Establishing an on-site state employee health clinic.
- HB 2419 State finances; transfers to and expenditures from the budget stabilization fund.
- HB 2426 Reconciling amendments to certain statutes.
- HB 2429 Distribution of tax revenue from the cigarette and tobacco products tax to the children's initiative fund.
- HB 2430 Authorizing the sale of certain tobacco settlement receipts; creating the great plains tobacco settlement financing corporation; authorizing the issuance of bonds payable from the tobacco asset payments.

Children and Seniors

- H Sub SB126 House Substitute for SB 126 by Committee on Children and Seniors – Establishing the foster care task force.
- HB 2160 Amending the individual development account program act to allow certain expenditures by individuals who were likely to age out of foster care.
- HB 2187 Restrictions on persons interacting with child care facilities.
- HB 2232 Electric monitoring in adult care homes.
- HB 2309 Requiring certain records to become public records if a child in the custody of the secretary for children and families is sexually abused or suffers great bodily harm or death.
- HR 6018 Recognizing the importance of restoring full funding to the Kansas Senior Care Act.

Commerce, Labor and Economic Development

- H Sub SB13 House Substitute for SB 13 by Committee on Commerce, Labor and Economic Development – Alcoholic beverages; sale of beer by cereal malt beverage licensees.
- HB 2036 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2037 Establishing the aviation grant program to develop the aviation industry in Kansas.
- HB 2038 Exempting certain veterans and current members of the armed forces from paying certain business filing fees.
- HB 2039 Making the Kansas airport improvement program independent of the transportation works program.
- HB 2050 Creating the joint economic development committee.
- HB 2051 Enacting the Kansas innovation zone act and reinstating the Kansas enterprise zone act.
- HB 2056 Amending the composition of the workers compensation and employment security boards nominating commission; administrative judge elected term lengths and reappointment.
- HB 2057 Moving workforce development from the department of commerce to the department of labor.
- HB 2058 Replacing the prevailing factor standard in workers compensation law with a substantial factor standard.
- HB 2059 Amending the American medical association guides to the evaluation of permanent impairment edition used for determining workers compensation benefits.
- HB 2062 Amending workers compensation law regarding drug testing, certain employer credits, maximum rates, work disability claim threshold, end of employer's obligation, future medical benefits, claim notice requirements and dismissal for lack of prosecution.
- HB 2163 Reinstating the income tax credit for certain contributions to technical colleges.

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- HB 2182 Authorizing growth of Kansas agribusiness through development of an industrial hemp industry; enacting the Kansas agricultural industry growth act.
- HB 2183 Providing employees with the option of written pay statements.
- HB 2184 Extending the sunset date of the STAR bond financing act and other amendments.
- HB 2185 Restoring local control over wage requirements for construction projects.
- HB 2249 Eligibility for workers compensation death benefits for a child over the age of 18 enrolled in high school.
- HB 2282 Kansas liquor control act and retailer's licenses.
- HB 2326 Employee wage deductions.
- HB 2327 Restoring local control over wages, benefits and other labor-related matters by regulation and in public construction contracts.
- HB 2328 Requiring accident prevention programs as a prerequisite to workers compensation insurance coverage unless declined by the covered employer.
- HB 2329 Amending certain employment security benefit provisions relating to receipt of separation pay.
- HB 2330 Restoring local control over employee scheduling policies.
- HB 2353 Revising qualified vendor requirements under state use law.
- HB 2354 Fair share fees for labor organizations.
- HB 2355 Requiring an affirmative acceptance by a consumer of charges by vendors offering goods or services over the internet before billing.
- HB 2356 Certification of businesses as a certified business by the department of administration pursuant to competitive bid process for state contracts.
- HB 2357 Enacting the agribusiness technology and entrepreneurship district act.

Corrections and Juvenile Justice

- H Sub SB42 House Substitute for SB 42 by Committee on Corrections and Juvenile Justice - Making updates to the revised juvenile justice code.
- HB 2048 School district plan addressing child sexual abuse; establishing Erin's law.
- HB 2049 Increasing criminal penalties for crimes committed against a law enforcement officer; the law enforcement protection act.
- HB 2084 Allowing for sharing data and information between state agencies and Kansas sentencing commission.
- HB 2085 Modifying postrelease supervision for sexually violent offenders.
- HB 2086 Amending the requirements for offender registration.
- HB 2087 Authorizing use of certified drug abuse treatment programs for certain crimes.
- HB 2088 Allow use of certified drug abuse treatment program for drug severity level 4 crimes.
- HB 2089 Amending the criminal penalties for unlawfully tampering with electronic monitoring equipment.
- HB 2090 Repealing special sentencing rule for third-time possession of a controlled substance.
- HB 2091 Requiring parental notification when immunity from criminal prosecution is invoked for a minor in possession of alcohol.
- HB 2092 Increasing loss thresholds for certain property crimes.
- HB 2093 Allowing certain juvenile adjudications to decay from criminal history.
- HB 2116 Amendments to the Kansas standard asset seizure and forfeiture act.
- HB 2222 Expanding mandatory reporters of child abuse.
- HB 2243 Authorizing school security officers to use certain types of emergency safety interventions.
- HB 2262 Adding employees of the department of corrections to the definition of law enforcement officer regarding requests for law enforcement assistance from another jurisdiction.
- HB 2263 Authorizing the secretary of corrections to sell products to contractors and vendors of government entities.
- HB 2264 Allowing juveniles who commit a crime using a firearm to be sentenced to placement in a

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- juvenile correctional facility.
- Sub HB2264 Substitute for HB 2264 by Committee on Corrections and Juvenile Justice - Clarifying criminal sentencing for certain persons subject to a mandatory minimum term of imprisonment.
- HB 2265 Amending the definition of a federal law enforcement officer.
- HB 2271 Clarifying the criminal sentencing statute for a person with intellectual disability who is convicted of capital murder.
- HB 2284 Changing age ranges for crimes of unlawful possession of a visual depiction of a child and unlawful transmission of a visual depiction of a child.
- HB 2290 Changing the age range for unlawful voluntary sexual relations.
- HB 2291 Providing for transfer of inmates in the custody of the secretary of corrections to custody of the sheriff for admission to a state psychiatric hospital.
- HB 2292 Allowing felons to dispense alcohol in connection with employment.
- HB 2338 Making comment sessions of the prison review board private.
- HB 2352 Limiting admissibility of impeachment evidence.

Education

- HB 2078 Authorizing the reduction or elimination of property tax exemption by a school district.
- HB 2164 Adding an additional member to the board of trustees of Cowley county community college.
- HB 2165 Development and implementation of ethnic studies in schools.
- HB 2204 Authorizing the governing body of technical colleges to levy a property tax and issue bonds for capital outlay purposes.
- HB 2212 Reauthorizing the Postsecondary Technical Education Authority until 2022.
- HB 2213 Reauthorizing the fee schedule in the Kansas private and out-of-state postsecondary educational institution act.
- HB 2252 Amending the tax credit for low income students scholarship program act.

Elections

- HSubSubSB8 House Substitute for Substitute for SB 8 by Committee on Elections – Counting advanced ballots mailed on date of election; election commissioners elected; candidate, treasurer, party committee and political committee report information; other.
- HB 2223 Campaign finance reports; \$500 fine per day for certain late reports.
- Sub HB2223 Substitute for HB 2223 by the Committee on Elections – Electronic filing of reports for a candidate for the state legislature and reports for lobbyists; increased penalties for late filing of reports.
- HB 2224 Elections; recognition of political parties; petitions.
- HB 2225 Advance voting permanent status.
- HB 2256 Election offenses; electioneering crime changes.
- HB 2303 Candidate for president; certain criteria to have name on the ballot.
- HB 2310 Municipal election changes; bond law clarification; other changes.
- HB 2333 Audits of election results; voting machine requirements; timing of the canvass.
- HB 2334 Gubernatorial elections; independent candidate; petition requirements.
- HB 2358 Elections; voter registration; voter identification; proof of citizenship deleted.

Energy, Utilities and Telecommunications

- HB 2061 Video competition act, definitions.
- HB 2166 Authorizing private entities to charge fees at electric vehicle charging stations.
- HB 2190 Electric utilities and the sale of renewable energy.

Federal and State Affairs

- H Sub SB70 House Substitute for SB 70 by Committee on Federal and State Affairs - Amendments to the Kansas amusement ride act.
- H Sub SB86 House Substitute for SB 86 by Committee on Federal and State Affairs - Amendments to the Kansas amusement ride act.
- HB 2024 Interstate compact on the agreement among the states to elect the president by national popular vote act.
- HB 2042 Concealed carry licensure amendments under the personal and family protection act.
- HB 2063 Requiring an opportunity for diversion in certain circumstances.
- HB 2072 Creating the Eisenhower preservation fund; registration fees.
- HB 2073 Changing the designation of columbus day to indigenous peoples day.
- HB 2074 Creating a permanent exemption for certain entities from the public buildings law under the personal and family protection act.
- HB 2075 Elections; voting procedures where proof of citizenship not provided.
- HB 2081 Public employer liability for public employees carrying a concealed handgun.
- HB 2102 Board of county commissioners; meetings.
- HB 2122 Creating the fair repair act.
- HB 2123 Amending the Kansas act against discrimination to include sexual orientation and gender identity.
- HB 2140 Authorizing the governor to enter into the great plains interstate fire compact.
- HB 2141 Alcoholic beverages; authorizing a manufacturer licensee to hold a drinking establishment license.
- HB 2145 Prohibiting the possession of a firearm by certain individuals.
- HB 2171 Student privacy and protection act.
- HB 2172 Relating to the recognition of marriages.
- HB 2173 Amendments to the Kansas expanded lottery act relating to racetrack gaming facilities.
- HB 2199 Authorizing the board of county commissioners of any county to regulate conservation easements on property located within the county.
- HB 2200 State agencies required to adopt policies and procedures to prohibit workplace bullying.
- HB 2201 Taxpayer empowerment, accountability and transparency in state contracting act.
- HB 2220 Prohibiting certain regulations concerning the carrying of concealed handguns at postsecondary educational institutions.
- HB 2273 Kansas no-call act; restrictions on use of automatic dialing-announcing devices.
- HB 2274 Authorizing the Kansas highway patrol to enter into a memorandum of agreement with the department of homeland security concerning enforcement of immigration laws.
- HB 2275 Prohibiting adoption of sanctuary policies by municipalities.
- HB 2276 Amending statutes concerning dangerous regulated animals.
- HB 2313 Kansas lottery; permit lottery ticket vending machines; repealing lottery sunset.
- HB 2339 Exemption from criminal possession of a silencer.
- HB 2343 Ensuring nondiscrimination of organ transplants on the basis of disability.
- HB 2366 Amending the beer and cereal malt beverage keg registration act to include hard cider.
- HB 2386 Authorizing sale of property by port authority at less than appraised value.
- HB 2389 Amendments to the Kansas amusement ride act.
- HB 2391 Concerning driving under the influence and other driving offenses; use of ignition interlock devices; expungement of convictions and diversions.
- HB 2397 Creating an unconscionable act or practice under the Kansas consumer protection act for people who engage in the unauthorized practice of law.
- HB 2398 Roads and highways; traffic control devices maintained by counties and townships.
- HB 2401 Prohibiting use of union dues for partisan or political purposes.
- HB 2404 Rehabilitation of abandoned property by cities.
- HB 2411 Alcoholic beverages; microbreweries; contract brewing.

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- HB 2414 Standards for real estate appraisers.
- HB 2417 Authorizing state psychiatric institutions to prohibit the carrying of firearms in secured areas.
- HB 2423 Prohibiting the collection and sale of personal data by internet service providers.
- HB 2425 Adding household members to the list of mandatory reporters of child abuse or neglect.
- HB 2427 Adult care home licensure and background check amendments.
- HCR 5003 Urging congress to propose the regulation freedom amendment to the United States constitution.
- HCR 5004 Constitutional amendment granting counties home rule powers.
- HCR 5005 Making application to the U.S. congress to call a convention of the states.
- HCR 5006 Constitutional amendment repealing section 16 of article 15; relating to marriage.

Financial Institutions and Pensions

- H Sub SB21 House Substitute for SB 21 by Committee on Financial Institutions and Pensions - Sunsetting and collapsing special exemptions and modifying certain other working after retirement provisions.
- HB 2110 Requiring nonresident trust entity applicants to prove that their home state authorizes Kansas trust entities.
- HB 2111 Death benefits for certain KP&F surviving spouses.
- HB 2266 Allowing retirants who retire from two plans under KPERS to receive an additional lump-sum death benefit.
- HB 2267 Amending requirements for certain consumer loan transactions.
- HB 2268 Extending the sunset date on certain working after retirement exemptions.
- HB 2289 Allowing certain time away from work or normal duties to be credited as participating service under KPERS and KP&F.
- HB 2351 Prohibiting state contracts with companies that are engaged in an anti-Israeli boycott.

General Government Budget

- HB 2129 Relating to an exception to department of administration energy audit requirements.
- HB 2130 Relating to department of administration regulations on contracts and purchase orders.
- HB 2349 Recreating the Kansas arts commission as a separate commission.

Government, Technology and Security

- HB 2331 Enacting the Kansas cybersecurity act.
- Sub HB2331 Enacting the representative Jim Morrison cybersecurity act and establishing the Kansas information technology enterprise.
- HB 2332 Relating to disclosure of electronic communications and electronically stored data.
- HB 2359 Creating the Kansas information technology enterprise agency.

Health and Human Services

- H Sub SB51 House Substitute for SB 51 by Committee on Health and Human Services - Scheduling of controlled substance analog and controlled substances.
- H Sub SB52 House Substitute for SB 52 by Committee on Health and Human Services - Filling and refilling prescriptions.
- HB 2025 Assistant attorneys general for the board of nursing.
- HB 2026 Board of nursing reinstatement of revoked license.
- HB 2027 Healing arts concerning anatomic pathology billing.
- HB 2028 Mental health technician's licensure act amendments.
- HB 2029 Regulation of cannabidiol investigational products.
- HB 2030 Pharmacist, pharmacy student or intern, administration of any vaccine to a person six years

- of age or older.
- HB 2031 Establishing the advisory council on palliative care and quality of life and palliative care education program.
- HB 2044 Clubhouse community-based psychosocial rehabilitation program.
- HB 2045 Institutional licenses under the healing arts act.
- HB 2046 Anesthesiologist assistant licensure act.
- HB 2047 Transfer of the office of inspector general to the office of the attorney general.
- HB 2055 Pharmacy act amendments.
- HB 2064 Establishing the KanCare bridge to a healthy Kansas program.
- HB 2065 Assessments on hospitals and health maintenance organizations.
- HB 2106 License renewal of treatment centers.
- HB 2107 Inclusion of biological products in the pharmacy act of the state of Kansas.
- HB 2119 Establishing non-covered services for dental benefits under health insurance.
- HB 2120 Kansas death with dignity act.
- HB 2121 Reporting the administration of vaccines to the state registry.
- HB 2124 Medical student loan agreements for psychiatry.
- HB 2139 Licensure of dental therapists.
- HB 2149 Creating the social work examining committee.
- HB 2150 Prohibiting the carrying of concealed firearms in certain buildings.
- HB 2151 Establishing restrictions on health insurance use of step therapy protocols.
- HB 2152 Authorizing hemp treatments for certain medical conditions.
- HB 2169 KanCare process and contract requirements.
- HB 2195 Powers, duties and functions of the board of examiners in fitting and dispensing of hearing instruments transferred to secretary for aging and disability services.
- HB 2205 Vaccinations for meningitis required.
- HB 2206 Relating to telemedicine.
- HB 2217 Standards governing the use and administration of emergency opioid antagonists.
- HB 2218 Amending the school sports head injury prevention act.
- HB 2219 Relating to diabetes information reporting.
- HB 2244 Establishing the maternal mortality review committee.
- HB 2253 Requiring scoliosis screening for every student enrolled in a school district or accredited nonpublic school.
- HB 2254 Relating to the practice of telehealth.
- HB 2255 Establishing certain requirements relating to health benefit plans that offer dental services.
- HB 2285 Reimbursement to eligible providers for medicaid ground emergency medical transportation services.
- HB 2294 Requiring targeted case management for recipients of home and community based services.
- HB 2295 Requiring that closed captioning be enabled on televisions in public areas of places of public accommodation.
- HB 2296 Merging the Kansas board of barbering and the Kansas state board of cosmetology into the Kansas board of barbering, cosmetology and body art.
- HB 2297 Pertaining to training requirements for certified nurse aides providing care in adult care homes.
- HB 2298 Increasing fee caps for the Kansas board of barbering.
- HB 2299 Establishing an independent home and community based services ombudsman.
- HB 2300 Enacting the Rx transparency act.
- HB 2348 Kansas safe access act; use of cannabis for medical conditions.
- HCR 5010 A concurrent resolution opposing physician assisted suicide.

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Higher Education Budget

HB 2305 Exempting Cleveland university-Kansas City from the Kansas private and out-of-state postsecondary educational institution act.

Insurance

HB 2043 Amending certain financial examination requirements.

HB 2067 Amending the uniform insurance agents licensing act to require fingerprinting of applicants for a resident insurance agent license.

HB 2103 Providing insurance coverage for amino acid-based elemental formula.

HB 2104 Motor vehicle liability insurance; amending uninsured motorist coverage provision requirements and increasing the minimum policy limit for bodily injury.

HB 2118 Providing liability exceptions and inactive provider coverage limits under the health care provider insurance availability act and exempting certain licensed providers from the act.

HB 2233 Amending the definition of service contract to include certain motor vehicle-related contracts, exempting such contracts from regulation as insurance.

Judiciary

H Sub SB40 House Substitute for SB 40 by Committee on Judiciary - Amending human trafficking and related crimes; creating certain new crimes; requiring training for commercial driver's license applicants; addressing offender registration, expungement of juvenile adjudications and victim compensation.

H Sub SB101 House Substitute for SB 101 by Committee on Judiciary - Amending the protection from abuse act and protection from stalking act to establish the protection from stalking and sexual assault act; providing exceptions to the parental notification requirement when a sexual assault evidence collection examination of a minor has taken place; authorizing certain claims for compensation through the crime victims compensation board.

H Sub SB120 Updating the code of civil procedure.

HB 2033 Authorizing certain claims for compensation through the crime victims compensation board.

HB 2034 Amending the crime of aggravated battery, concerning strangulation.

HB 2035 Clarifying the subject matter of criminal post-trial motions for correction of sentence.

HB 2041 Extending the judicial branch surcharge fund, relating to court fees and costs.

HB 2053 Requiring defendants to pay for the cost of collection in domestic cases.

HB 2054 Allowing agents and contractors of public officials to access records from the department of labor.

HB 2069 Amending the definition of 'conviction' for applicant qualification under the Kansas law enforcement training act.

HB 2070 Creating an exemption to the Kansas open records act for the central registry of Kansas police and law enforcement officers.

HB 2071 Sentencing for domestic battery.

HB 2077 Limiting civil liability for certain persons performing inspection, installation or adjustment of a child safety seat or providing education regarding the installation or adjustment of a child safety seat.

HB 2101 Abolishing common-law marriage.

HB 2125 Amending the Kansas general corporation code to include public benefit corporations.

HB 2126 Relating to the mediation or arbitration of trust provisions.

HB 2127 Transfer-on-death deeds; lapsing or vesting of ownership in grantee beneficiary.

HB 2128 Allowing the governor's domestic violence fatality review board to recess for a closed or executive session.

HB 2153 Fee agencies, moneys transferred to the state general fund; notification to persons paying fees that moneys have been transferred.

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- HB 2176 Providing exceptions to the parental notification requirement when a sexual assault evidence collection examination of a minor has taken place.
- HB 2186 Enacting the uniform arbitration act of 2000.
- HB 2197 Creating an exception to the Kansas open records act for juror lists.
- HB 2198 Adding domestic battery and stalking to the list of offenses for which the Kansas bureau of investigation may collect biological samples.
- HB 2214 Placing restrictions on adult sex offenders who were convicted of a sex offense involving a minor.
- HB 2215 Removing opposite sex requirement for unlawful voluntary sexual relations.
- HB 2216 Removing sodomy between consenting members of the same sex from criminal sodomy.
- HB 2234 Setting a time in which infectious disease testing of certain offenders must take place.
- HB 2239 Allowing cities and counties to opt out of the scrap metal theft reduction act.
- HB 2240 Enacting the crisis intervention act.
- HB 2258 Prohibiting mental examination of victim of sex offense.
- HB 2259 Allowing hearsay at preliminary hearings.
- HB 2260 Allowing probation revocation without graduated sanctions for persons on probation due to downward departure.
- HB 2301 Legislative review of exceptions to disclosure of public records.
- HB 2302 Relating to the custody and disposition of cruelly treated animals.
- HB 2306 Amending provisions concerning annual examinations, transitional release and conditional release of sexually violent predators.
- HB 2320 Clarifying who receives notice of request for disclosure of warrants.
- HB 2321 Amending citizen grand jury petition sufficiency and right to appeal.
- HB 2335 Removing limitation on punitive damages and sending a portion of award to the state general fund.
- HB 2336 Application of collateral source payments.
- HB 2337 Amending the Kansas false claims act, concerning medicaid-related fraud and abuse.
- HB 2350 Clarifying method for calculating the spousal elective share.

K-12 Education Budget

- HB 2142 Establishing a unified school district employee health care benefits program.
- HB 2143 Requiring school districts to procure specific spend categories through the department of education.
- HB 2242 Enacting the classroom-based funding act.
- HB 2270 Creating the education finance act.
- HB 2288 Requiring school districts use generally accepted accounting principles.
- HB 2344 Requiring the adoption of a local foundation budget by each school district and the levying of a property tax for the financing thereof.
- HB 2345 Authorizing school districts to adopt a local activities budget and levy property taxes for the finance thereof.
- HB 2346 Administration of school district finance by the state board of education.
- HB 2347 Creating the school district finance and student success act.
- Sub HB2410 Substitute for HB 2410 by Committee on K-12 Education Budget - Creating the Kansas school equity and enhancement act.

Local Government

- HB 2094 Municipalities; contracts with other municipalities.
- HB 2137 Cities and counties; governing body members, certain volunteer activities.
- HB 2138 State fire marshal; school lockdowns; rules and regulations.
- HB 2210 Elections; political or temporary signs; city and county restrictions.
- HB 2211 Limiting campaign contributions to governor and lieutenant governor after second term

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inauguration.

- HB 2247 Authorizing legal publications on internet websites.
- HB 2248 Homeowners associations subject to consumer protection act.
- HB 2277 Alcoholic liquor; common consumption areas; cities and counties.
- Sub HB2277 Substitute for HB No. 2277 by Committee on Local Government – Alcoholic liquor; common consumption areas; cities and counties.

Taxation

- HB 2023 Determination of Kansas adjusted gross income; sunseting certain modifications.
- HB 2082 Property tax lid; cities and counties; repealed.
- HB 2083 Allowing counties to deny registration of a motor vehicle for unpaid real property taxes.
- HB 2105 Oil and gas property statement of assessment, due date for filing.
- HB 2112 Expanding medicaid coverage for military veterans.
- HB 2146 Property tax exemption for certain property used for educational or scientific purposes.
- HB 2162 Sales taxation; time for payment by retailers.
- HB 2177 Concerning sales and compensating use tax; origin sourcing.
- HB 2178 Concerning income tax; rates; itemized deduction for certain medical expenses.
- Sub HB2178 Substitute for HB 2178 - Concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions.
- HB 2227 Property tax levy for the Kansas educational building fund.
- HB 2228 Allowing property tax exemption on certain property without order of the board of tax appeals.
- HB 2229 Classification and taxation of certain oil and gas equipment and materials.
- HB 2230 Allowing a board of county commissioners to exempt certain property located in a federal enclave.
- Sub HB2230 Substitute for HB 2230 by Committee on Taxation - Concerning property tax exemption for certain property owned by a redevelopment authority within a former federal enclave.
- HB 2231 Increasing rates of tax of cigarettes and tobacco products; establishing the cigarette and tobacco products cessation fund.
- HB 2235 Concerning Kansas sales and compensating use tax, administration and reporting requirements.
- HB 2237 Concerning taxation; relating to income tax, rates, determination of income, tax credits; motor fuels tax, rates, trip permits, distribution; sales and compensating use tax, food and food ingredients.
- HB 2238 Sales tax exemption, farm production machinery and equipment.
- HB 2250 Relating to Taxation; income tax and non-wage business income; sales and compensating use tax, rate on food and food ingredients; establishing the food sales tax reduction fund.
- HB 2283 Providing for state income taxation of retirement contributions by certain employees of the state board of regents.
- HB 2286 Income tax on corporations; increasing rate of normal tax to 5%.
- HB 2287 Expanding the Kansas itemized deduction.
- HB 2314 Authorizing use of ad valorem taxes to pay for capital improvements within a redevelopment district encompassing a federal enclave; authorizing issuance of bonds.
- HB 2315 Income tax, rates, modifications, credits; cigarettes and tobacco products, rates; alcoholic beverages, liquor enforcement, rates; business entities, filing fees.
- HB 2325 Enacting the fair share act.
- HB 2341 Adding Cowley county to the list of rural opportunity zones.
- HB 2342 Permitting injured workers to choose their health care providers.
- HB 2367 Concerning valuation of property for taxation; duties of county appraiser; appeals.
- HB 2368 Allowing a deduction for business entities that create new jobs.
- HB 2369 Reducing the sales and compensating use tax rate of food and food ingredients.

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- HB 2370 Concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions.
- HB 2371 Income tax credit for expenses paid for household and dependent care services necessary for gainful employment.
- HB 2372 Providing homestead property tax refunds for renters.
- HB 2373 Enacting the food sales tax refund and sunseting the tax credit for food purchased in this state.
- HB 2374 Expanding the tax credit for low income students scholarship program.
- HB 2376 Property tax lid; requiring cities and counties to publish notice of budget increase; election requirements.
- HB 2377 Repealing the nonwage business income deduction.
- HB 2378 Concerning income taxation; relating to determination of Kansas adjusted gross income, rates, itemized deductions.
- HB 2380 Sales tax authority for Marion county for property tax relief, economic development and infrastructure projects.
- HB 2381 Providing a sales tax exemption for the land institute.
- HB 2382 Providing for a \$.11 increase in motor fuel taxes; trip permits; distribution of revenues.
- HB 2384 Imposing sales tax on certain services.
- HB 2385 Providing for a 3.9% tax rate for all individuals and repealing future formulaic rate cuts.
- HB 2387 Sales tax exemption for certain property destroyed by wildfires in 2017.
- HB 2390 Taxing sales of certain gym memberships.
- HB 2395 Providing for a 5% rate on all income over \$10,000 for individuals and \$20,000 for persons married filing joint returns.
- Sub HB2395 Substitute for HB2395 by Committee on Taxation - Concerning taxation; income tax rates, determination of Kansas adjusted gross income and deductions; sales and use tax, rate on sales of food and food ingredients.
- HB 2396 Allowing a tax credit for certain medical professionals who establish domicile in a rural opportunity zone.
- HB 2399 Providing a tax credit for certain child and dependent care expenses.
- HB 2400 Requiring certain remote sellers to collect Kansas sales tax.
- HB 2406 Repealing property tax exemption for certain pipeline property.
- HB 2408 Requiring people with access to federal tax information to be fingerprinted.
- HB 2415 Making parts of the scrap metal theft reduction act unenforceable until January 1, 2019.
- HB 2416 Income tax credit for certain purchases of goods and services by a taxpayer from qualified vendors that provide employment to individuals who are blind or severely disabled.
- HB 2420 Concerning taxation; income tax, determination of Kansas adjusted gross income, rates, itemized deductions; sales and compensating use tax, rates food and food ingredients.
- HB 2421 Enacting a sales tax exemption for sales of currency, certain coins or bullion.
- HB 2422 Providing for a sales tax exemption for the make-a-wish foundation of Kansas.
- HB 2424 Property tax lid; exception for certain employee benefits.
- HB 2428 Repealing certain sales tax exemptions.
- HB 2431 Taxation; relating to income tax, rates, credits, itemized deductions and determination of Kansas adjusted gross income; sales and use tax, rate, food and food ingredients; property tax, homestead refunds; motor fuels tax rate; cigarettes, rate of tax.
- HB 2432 Concerning taxation; relating to income tax rates, credits, deductions and determination of Kansas adjusted gross income.
- HB 2433 Concerning income tax, relating to credits, rates, determination of Kansas gross income and itemized deductions for qualified medical expenses.
- HB 2434 Concerning income tax; relating to rates, credits, deductions and determination of Kansas adjusted gross income.
- HCR 5013 Urging Congress to regulate interstate commerce and allow states to collect sales tax from

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remote retailers.

Transportation

- HB 2040 Citations for overtaking and passing of school buses captured on camera.
- HB 2060 Increasing registration fees on electric and hybrid vehicles.
- HB 2076 Creating the seat belt safety fund and increasing the fine for adult seat belt violations.
- HB 2095 Providing a special vehicle permit for certain vehicle combinations.
- HB 2096 Operation of transit buses on certain right shoulders in Wyandotte County.
- HB 2148 Providing for an Autism awareness distinctive license plate.
- HB 2170 Allowing bicycles to be equipped with either a rear lamp or reflector.
- HB 2188 Providing for increased penalties for right-of-way violations.
- HB 2194 Eliminating fees for certain motorcycle license applicants and allowing safety courses outside the state.
- Sub HB2194 Substitute for HB 2194 by Committee on Transportation - relating to motorcycles, approved safety training curriculum and location for safety courses.
- HB 2202 Drivers' licenses renewal period, test fees.
- HB 2203 Designating a segment of United States highway 75 as the SGT Eldon K Miller memorial highway.
- HB 2236 Required training for certain motor carrier drivers and transportation network company drivers.
- HB 2269 Increasing certificate of title fees on motor vehicles.
- HB 2281 Providing for the Kansas 4-H foundation distinctive license plate.

Veterans and Military

- HB 2132 Adding employees of the Kansas commission on veterans affairs office to the list of safety sensitive positions for preemployment drug screening.
- HB 2174 Amending the definition of disabled veteran for distinctive license plate eligibility.
- HB 2175 Requiring disclosure to veterans in certain materials concerning veterans' benefits.
- HB 2196 Concerning the veterans benefit lottery game; relating to disposition of profits; establishing funds for the veterans and national guard benefit lottery games.
- HB 2257 Providing for an armed services occupation medal license plate.
- Sub HB2257 Adding an armed services occupation medal decal for distinctive military license plates.

Water and Environment

- HB 2032 Increasing fees credited to the state water plan fund.
- HB 2066 Public wholesale water supply districts and highway right-of-way.
- HB 2079 Water district vehicle registration.
- HB 2080 Reinstatement of forfeited benefit units of rural water districts.
- HB 2189 Protecting surface owners' property rights.
- HB 2241 Creating the surface water protection fee and the irrigation water use fee and depositing such fees in the state water plan fund.
- HB 2272 Establishing the Kansas water collaborative to promote coordination among agencies on state water priorities.
- Sub HB2272 Substitute for HB 2272 by Committee on Water and Environment – Establishing the Kansas water authority science and research subcommittee.
- HB 2311 Maintenance requirements for streambank stabilization and water quality protection projects.
- HB 2312 Amending the administrative hearing process for the department of agriculture.
- HCR 5008 Proposition to amend article 11 of the constitution of the state of Kansas concerning the state water plan fund.

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State Legislature, Joint Committees*Joint Committee on Special Claims Against the State*

SB 109 Claims against the state.

Legislative Post Audit Committee

SB 1 Eliminating the reporting requirements for law enforcement agencies concerning civil asset seizures and forfeitures.

SB 2 Exempting the division of legislative post audit from the monumental building surcharge.

SB 3 Kansas standard asset seizure and forfeiture act; restriction on county or district attorney.

SB 4 Clarifying and limiting discretion for expenditure of proceeds from civil forfeiture.

HB 2001 Eliminating the reporting requirements for law enforcement agencies concerning civil asset seizures and forfeitures.

HB 2002 Exempting the division of legislative post audit from the monumental building surcharge.

HB 2003 Kansas standard asset seizure and forfeiture act; restriction on county or district attorney.

HB 2004 Clarifying and limiting discretion for expenditure of proceeds from civil forfeiture.

State Legislature, Special Committees*2016 Special Committee on Foster Care Adequacy*

HB 2019 Establishing the foster care oversight task force.

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